

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

DEC 30 2019

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DAVID HAROLD HANSON,)
)
Plaintiff,)
)
v.)
)
FORREST FENN; and)
BRIAN ERSKINE (Intervenor),)
)
Defendants.)
)

Case No. 1:19-cv-01124-KK

ANSWER AND CROSS-CLAIM OF BRIAN ERSKINE AS INTERVENOR-DEFENDANT

Pursuant to FED. R. CIV. P. 24(c), FED. R. CIV. P. 7(a)(2), and FED. R. CIV. P. 13(g), Brian Erskine (“Intervenor-Defendant”) both answers the complaint of David Harold Hanson (“Plaintiff”) and states a cross-claim against Forrest Fenn (“Defendant”).

1. ANSWER

1. Intervenor-Defendant denies having knowledge or information sufficient to form a belief as to truth of the allegations in Part I of the Complaint (“The Parties to This Complaint”).
2. Intervenor-Defendant denies having knowledge or information sufficient to form a belief as to truth of the allegations in Part II of the Complaint (“Basis for Jurisdiction”), except that Intervenor-Defendant denies that Plaintiff’s alleged damages exceed \$75,000.
3. Intervenor-Defendant denies having knowledge or information sufficient to form a belief as to truth of the allegations in Part III of the Complaint (“Statement of Claim”), except

that: (i) Intervenor-Defendant admits that Defendant publicized a hidden treasure quest¹ (“quest”) or public puzzle, based on a cryptic poem, to be solved as referenced in the Motion to Intervene (“Motion”) and as further detailed in the Supplemental Affidavit in Support and its exhibits (“Affidavit”), and has publicly represented availability of an alleged hidden treasure of significant tangible value (“box”) to the solver of the quest with alleged clues to assist in or enable locating the alleged box by searching the unique location found and identified by correctly decoding the poem (“site”); (ii) Intervenor-Defendant denies that any of the clues or other public information relevant to the quest published by Defendant was false or misleading because Intervenor-Defendant, demonstrably and with written and visual evidence as presented in the Motion and Affidavit, solved the quest and identified the site by relying on clues and other public information published by Defendant and without privileged assistance from or communication with Defendant, as referenced and detailed in the Motion and Affidavit.

4. Intervenor-Defendant denies the allegations in Part IV of the Complaint (“Relief”).

2. AFFIRMATIVE DEFENSES

1. Complaint fails to state a claim upon which relief may be granted.
2. Claims of fraud in complaint are not pleaded with particularity as required by FED. R. CIV. P. 9(b).
3. Claims in complaint fail, in whole or in part, because
 1. Intervenor-Defendant solved the quest as noted in 1.3(ii) above;

¹ For context, see Burnett, John; *NPR*, March 3, 2016, <https://www.npr.org/2016/03/13/469852983/seeking-adventure-and-gold-crack-this-poem-and-head-outdoors>

2. Plaintiff's failure to solve the quest resulted from Plaintiff's own misreading, misunderstanding, or misapplication of this information noted in 1.3(ii) above.

3. AS AND FOR A CROSS-CLAIM AGAINST DEFENDANT

1. Intervenor-Defendant is a citizen of Arizona.
2. Upon information and belief, Plaintiff is a citizen of Colorado.
3. Upon information and belief, Defendant is a citizen of New Mexico.
4. The Court has subject matter jurisdiction by diversity under 28 U. S. C. 1332.

Intervenor-Defendant, Plaintiff, and Defendant are citizens of different states and upon information and belief, the tangible value of the box Defendant has publicly stated either to be found upon solving the quest and searching the site, or as publicly promised by Defendant as a reward to the individual(s) who solved the quest, is greater than \$75,000.

5. Intervenor-Defendant has solved the quest by decoding the poem, thus accurately identifying the site.
6. By further efforts, Intervenor-Defendant accurately identified, at the site, the natural landscape based upon which Defendant devised and communicated instructions to create the drawing found in the memoir's epilogue, thus proving the quest solved by discovering the unique visual relationship ("visual") between the landscape and the drawing both by matching a photograph of the landscape to the drawing and by associating their unique forms, features, and proportions with quest themes as detailed in the Motion and Affidavit. This visual serves as a virtual marker or *substitute for the box* similar to a tangible marker — a bronze owl figurine — for a different treasure quest.²

² Scofield, Hugh; *BBC*, August 21, 2018; <https://www.bbc.com/news/world-europe-45005072>

7. Defendant constructively denies that Intervenor-Defendant solved the quest (i) by failing to acknowledge or refusing to admit and affirm the solution of Intervenor-Defendant as true and accurate, (ii) by falsely facilitating public misperception that the quest is unsolved (perhaps because Defendant, as evidenced by certain public statements, prefers that the quest remain a credible mystery of wide interest and mass participation), and (iii) by publicly “answering the wrong question” or falsely implying failure to solve the quest by truthfully citing Intervenor-Defendant’s failure, self-fulfilling and beyond the control of Intervenor-Defendant by Defendant’s design, to possess the box or reward.³

Defendant’s refusal to address truthfully whether Intervenor-Defendant accurately identified the site (iv) fosters public uncertainty, forming a basis for Plaintiff’s action while driving other negative events including public safety incidents, and facilitates a false public impression that: (v) Intervenor-Defendant is not entitled to a box or reward and (vi) the work of Intervenor-Defendant in solving the quest is incorrect, falsely diminishing the tangible and intangible value of that work and misrepresenting its objective credibility by manipulatively and deceptively promoting a false linkage between quest solution and box discovery, or promoting a false, rather than a genuine or true, credibility standard. **Therefore, an actual and justiciable controversy exists as to whether Intervenor-Defendant uniquely identified the site and solved the quest as detailed in the Motion and Affidavit, regardless of the whereabouts of the box.**

³ Nott, Robert; *Santa Fe New Mexican*, December 21, 2019; https://www.santafenewmexican.com/news/local_news/man-says-he-has-discovered-forrest-fenn-s-treasure/article_8bdec7e0-2027-11ea-bd41-5bf5044a64d0.html

8. The box or reward notoriously represented by Defendant as associated with solving the quest is not physically present and available for discovery, even by search, within a three-hundred-(300)-foot radius of the site.⁴
9. Defendant, who as referenced in the Motion notoriously represents that only Defendant knows the whereabouts of the box, never placed, concealed, discarded, or abandoned any box or reward within such radius of the site.
10. Details of evidence for above claims are presented in the Motion and Affidavit and are incorporated herein by reference.
11. Intervenor-Defendant seeks a declaratory judgment against Defendant under 28 U. S. C. 2201 and 2202.
12. Intervenor-Defendant has no other adequate remedy at law.

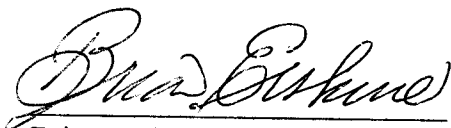
4. PRAYER FOR RELIEF

Intervenor-Defendant seeks a judgment: (i) dismissing Plaintiff's Complaint in its entirety; and (ii) declaring that: (a) Intervenor-Defendant has solved the quest; (b) Intervenor-Defendant has accurately decoded the poem and has accurately identified the unique site of quest solution; (c) Intervenor-Defendant has visually identified and photographed, at that site, substantially the outdoor landscape from or based upon whose unique features, forms, and proportions Defendant issued instructions to create the drawing found in the epilogue of the memoir, perhaps unbeknownst to the illustrator, but proving accurate identification of the site; (d) The identified

⁴ Defendant specified a geographic area of roughly one hundred sixty thousand (160,000) square miles as eligible for quest solution, and has abruptly excluded whole segments of states and regions previously included. A circle of three-hundred-(300)-foot radius encompasses only one sixteen-millionth (1/16,000,000th) of that eligible area, or only the "site" or eye-shaped west riverbank segment of the Uncompahgre River immediately opposite Climax Creek and nearest proximate areas — mostly covered in alpine stones, under flowing water, or blocked by tree and bush roots or cliffs defining the boundary of a box canyon, rendering box concealment physically prohibitive.

site of quest solution and the unknown location where Defendant actually concealed any box, reward, or treasure of tangible value are, by Defendant's design, not co-located within 300 feet and are indeed two substantially different, distant locations, rendering any search for a box at the correct site futile; (e) Intervenor-Defendant is entitled, by virtue of having solved the quest, to all rewards promised by Defendant to any individual(s) who solved the quest including, but not limited to, beneficial transfer of title to the box or full reward, regardless of the present whereabouts of the box; and (f) such other and further relief as the Court deems just and proper.

Respectfully submitted,

A handwritten signature in cursive script, reading "Brian Erskine", is written over a horizontal line.

Brian Erskine

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FENN SOLUTION



by Brian Erskine
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“If I cannot move heaven, I will raise hell.” – Virgil, The Aeneid of Virgil, Book Seven, Line 312

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Foreword

A famous public puzzle has motivated thousands to seek hidden treasure by researching and exploring the western slopes of the American Rockies. Forrest Fenn, of Santa Fe, created the puzzle as a quest roughly a decade ago. Fenn is an artist and retired art dealer, a best-selling author, an archaeologist and conservationist, and an Air Force veteran combat pilot. After years of planning, he composed the puzzle into the form of a short poem defining a specific location, and publicized the quest.

The cover image depicts that location while proving the solution. The image is a superimposition of an illustration onto a photo. The photo was taken in August 2018 by Brian Erskine, the solver, below Abrams Mountain along the Uncompahgre River south of Ouray, Colorado. The illustration, created by *Wall Street Journal* and Western artist and portraitist Allen Polt, is found in the epilogue of Fenn's book *The Thrill of the Chase*, published in January 2010. The visible match or alignment places Fenn, who commissioned the illustration, at the site of the photo before January 2010 while creating the quest.

More proof is detailed below, including in the Colorado state seal. The poem and puzzle are artistic masterpieces, referencing geography, history, literature, character study, and more, all with profound literary significance. **The solver has not found any treasure and welcomes that anyone might search.**

Poem

*As I have gone alone in there
And with my treasures bold,
I can keep my secret where
And hint of riches new and old.*

*Begin it where warm waters halt
And take it in the canyon down,
Not far, but too far to walk.
Put in below the home of Brown.*

*From there it's no place for the meek,
The end is ever drawing nigh;
There'll be no paddle up your creek,
Just heavy loads and water high.*

*If you've been wise and found the blaze,
Look quickly down, your quest to cease,
But tarry scant with marvel gaze,
Just take the chest and go in peace.*

*So why is it that I must go
And leave my trove for all to seek?
The answers I already know,
I've done it tired, and now I'm weak.*

*So hear me all and listen good,
Your effort will be worth the cold.
If you are brave and in the wood
I give you title to the gold.*

Solution

The Fenn poem indicates some place on the western slopes of the American Rockies where ostensibly was hidden a shoebox-sized treasure ("box"). A public challenge to find a small box in a vast region implies that that place must be specific, limited in size and extent, and relatively accessible. The puzzle is solved only when such a place or "site" (37.986555, -107.647828) derives from perusing its text.

The solution follows the poem, presenting a clear chain of evidence. Evidence culminates in robust independent proofs both by the cover image and by linking to the Colorado state seal. The state motto on the seal derives from another epic quest also supporting the proof: the *Aeneid* of Virgil. Both solving for and exploring the indicated site are required.

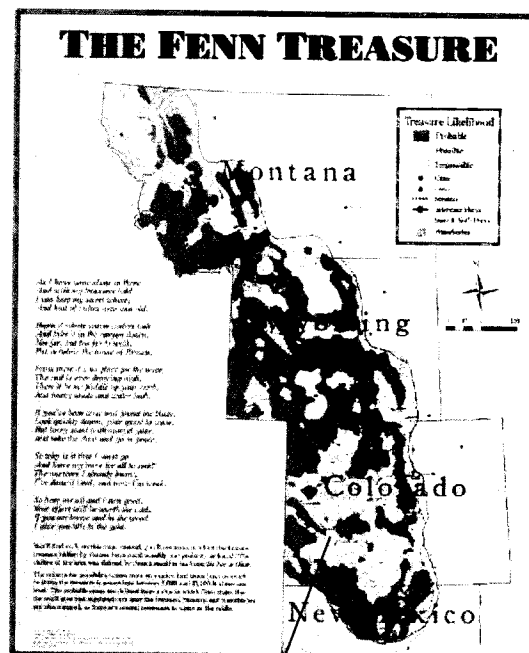
Words of unusual definition are marked with an asterisk * as cited in *Merriam-Webster*.

*As I have gone alone in there
And with my treasures bold,
I can keep my secret where,
And hint of riches new and old.*

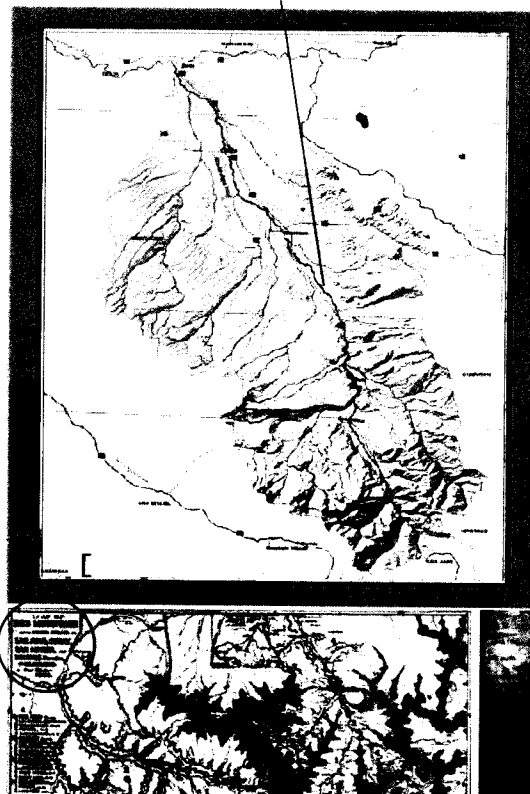
The site is in a place of a past mining boom. Though the first stanza contains little specific information, it proves crucial that the poem contains six stanzas, 24 lines, and certain quantities of words. Translating this stanza into Spanish, two observations aid in decoding the second and fifth stanzas. First, the poem would begin "*Como he ido solo alli*," identifying Lake Como as the starting point. Second, "I... alone" and the sound of "*solo alli*" connote "a single eye," later shown to be the eye of a turtle.

Begin it where warm waters

"Warm waters" means the Uncompahgre River, tributary of the Gunnison River of scenic Black Canyon fame. This river rises in Colorado, in the San Juan Mountains north of Silverton, flowing north through a former mining area.



COLORADO
Uncompahgre River



From a Ute dialect of the Colorado River Numic language, “Uncompahgre” translates as “warm flowing water.” Agglutinative like many Native American languages, the “pah” syllable means “water.” Native American words are common among American place-names. Fenn’s advice to develop “comprehensive” geographic knowledge, and his “umbilical” attachment to a place sustained by water, evoke “Uncompahgre” by allusion and imperfect rhyme, indicating that other clues are similarly unlocked. Sources for the selected translation include 5280 magazine.

halt

As the first stanza begins in Spanish, Lake Como (37.9229, -107.6247), above Silverton, is a small lake, in which waters of the Uncompahgre River pause, from their alpine source (37.9196, -107.6200), before...

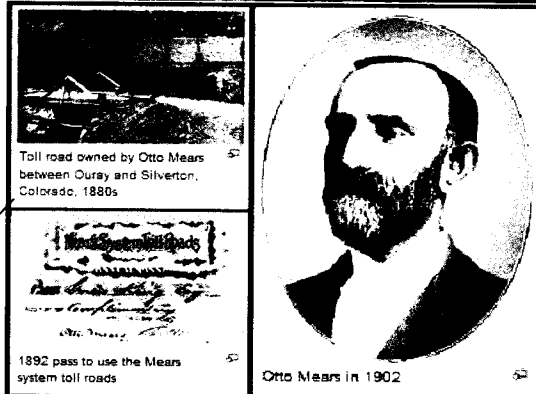
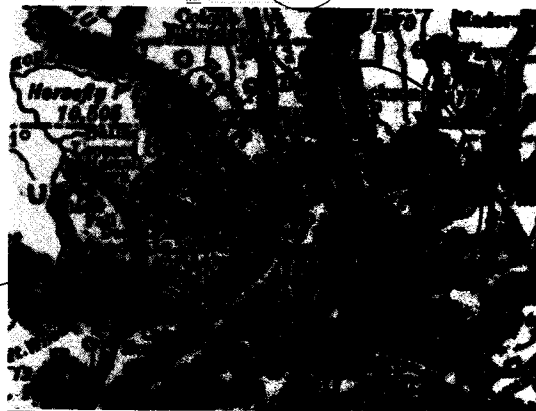
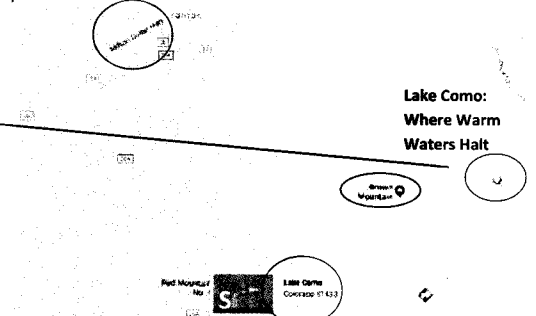
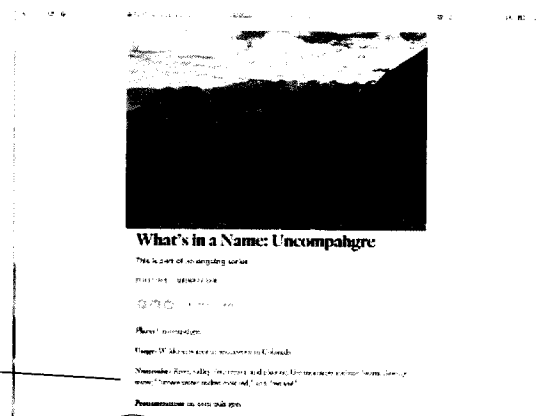
And take it in the canyon down,

...flowing north from Lake Como, into the lengthy Uncompahgre Gorge, beginning with Poughkeepsie Gulch (37.9567, -107.6260).

Not far, but too far to walk.

The Uncompahgre River flows north toward Ouray. U. S. 550 (nicknamed “Million Dollar Highway”) and jeep trails connect Silverton and Ouray, about 23 miles apart. Prohibitive terrain prevented the two towns from directly connecting by rail in the nineteenth-century “mining boom” era.

Otto Mears, a Jewish immigrant from a Baltic province of the Russian Empire, earned the title “Pathfinder of the San Juans” as one of the “founding fathers” of Colorado. A fascinating character with a varied background, he came to farm wheat in Saguache and then developed toll roads, originally for flour mill access and later more generally and widely by legislative charter, including the predecessor to U. S. 550. The toll at the Bear Creek bridge (38.0000, -107.6600) on that route – at the 38th parallel, of Korean fame – was \$5, or *well over \$100* today.



Anticipating development, Mears built roads to an engineered standard, serving as foundations for rail and catalyzing mining. He invested in rail lines near Silverton, served as a Presidential elector in 1876, and organized the donation of gold leaf for the capitol dome in Denver. The Panic of 1893 ruined Mears, and he left the state.

By any route, the indicated distances are too far to walk comfortably. However, the phrase also has a second, crucial meaning: “too far to” as “2-4-2” (242). To Fenn, a veteran pilot, this is a WSW heading.

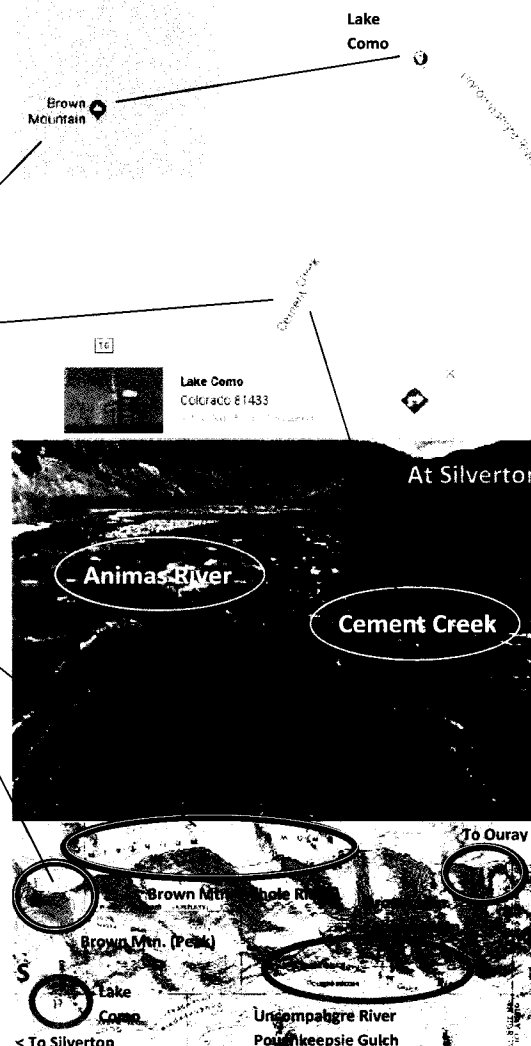
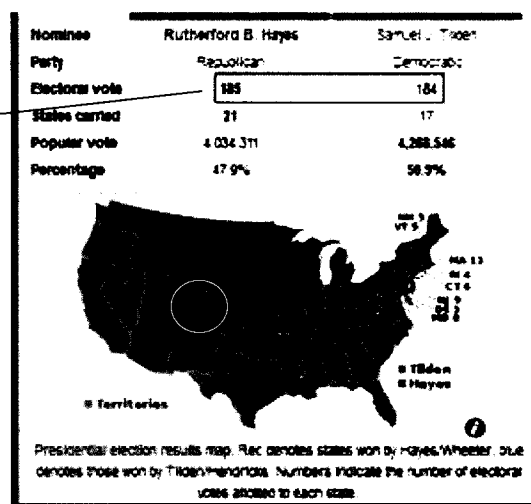
Put in

* Put in: spend productive time (in this search, exploratory or “boots on the ground”) – as in, “Smith got the big promotion by *putting in* long hours at the office.” Or, the box itself was also “put in [place] below the home of Brown.”

below the home of Brown. From there

Brown Mountain (37.9206, -107.6370) is the * home (source) of Cement Creek (37.9135, -107.6310). Flowing south through Silverton parallel to a former railroad, its waters are brown from mineral content. Residents refer to Cement Creek by its observed color. Lake Como and Uncompahgre River headwaters are also found below Brown Mountain.

The name “Brown Mountain” refers *both* to a single peak and to a north-south ridgeline of nine consecutive peaks of which Brown Mountain (peak) is the southernmost and highest. The local USGS topographic map (Ironton, Colorado) marks this ridgeline. It is found east of Ironton Park, between U. S. 550 and the Uncompahgre River. Northernmost of the nine is Abrams Mountain (peak) (37.9617, -107.6385), south of Ouray. Brown Mountain (ridgeline), as a whole, is the “home of Brown.” Lines are defined by two endpoints, and while Brown Mountain (peak) at the southern end is the identification mark, Abrams Mountain at the northern end is the search mark.



it's no place for the meek,

Winding along mountainsides above gorges, U. S. 550 between Silverton and Ouray is no drive for the acrophobic. Local jeep trails are rated for ruggedness and signposted to deter the novice. U. S. 550 and one trail, Ouray County Road 18 ("OCR 18"), converge (37.9886, -107.6497) directly below, or north of, Abrams Mountain ("below the home of Brown"), with parking and a scenic rapids and waterfall where the Uncompahgre River chutes under U. S. 550. This wishbone junction is how Fenn could aver that searchers had been near the correct site.

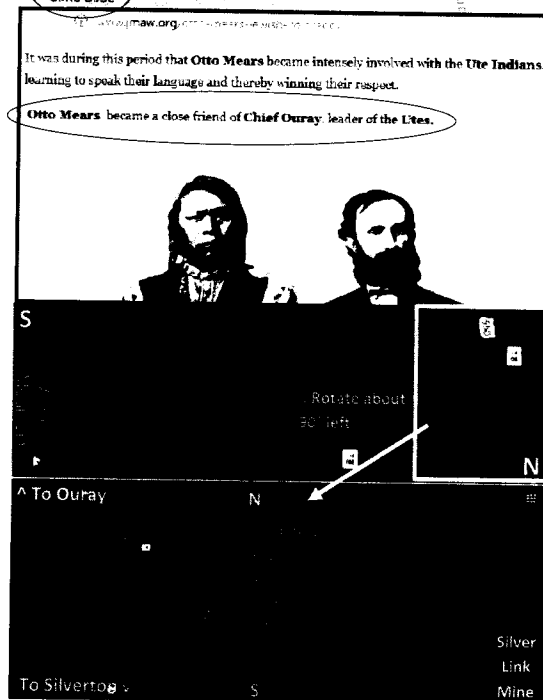
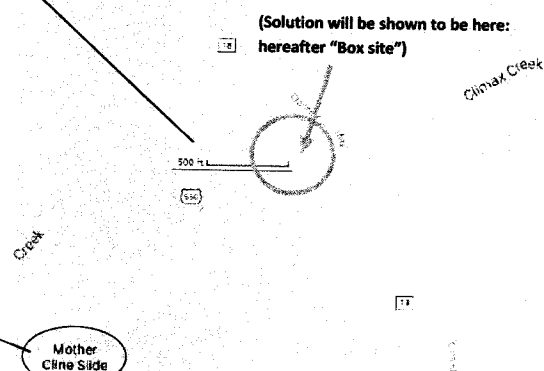
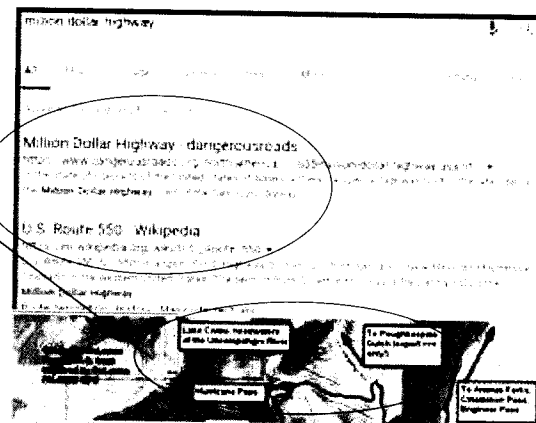
The Meeker Massacre and Battle of Milk Creek, 1879 Indian Wars events perhaps second only to the 1890 Ghost Dance as acts of resistance, both occurred in western Colorado. Chief Ouray of the Utes, raised in Taos, N. M., whose name means "arrow," bluntly rejected violence as pointless, instead aiming forward. A respected leader and diplomat, he spoke many languages, and was a friend of Mears. Chief Ouray and his brilliant wife, Chipeta, also a skilled leader, secured release of hostages with the help of Capt. Milton Cline, a local miner. U. S. Indian agent Nathan Meeker was inept by comparison.

The end is ever drawing nigh;

Below Abrams Mountain, up OCR 18 (south of the parking lot at the U. S. 550 junction) is Climax Creek, which meets the Uncompahgre River at (37.9865, -107.6476). The search area narrows, as if to a climax, an end that draws nigh. * Draw can also mean a creek bed. * Nigh can mean imminent and, archaically, "left-hand side." Climax Creek extends "from" the Uncompahgre River to the left of a hiker walking in the indicated direction: southbound or upstream. The northbound, downstream approach is "too far to walk."

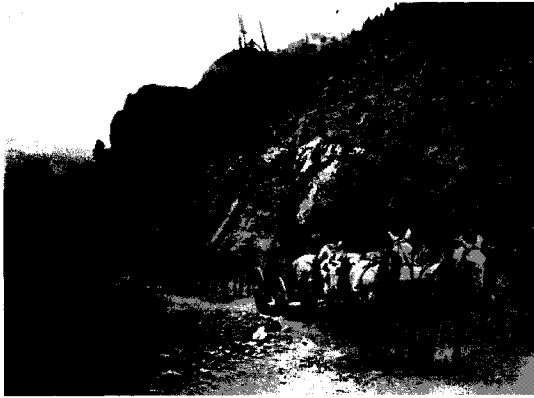
There'll be no paddle up your creek,

The searcher can't *paddle up* Climax Creek, but must *hike down* it. Climax Mining Co. owned the Silver Link mine operating for years high on the cliff. How miners accessed or delivered ore from this remote mine seems a mystery.



Just heavy loads and water high.

The original infrastructure, serving mining with its heavy haulage, featured Mears toll roads, narrow-gauge rail, and a key rail gap.



Low gearing and a 4x4 vehicle are needed to drive the jeep trails. A searcher also bears heavy loads: search tools, the box, **or even the expectation of finding a box, perhaps a misconception to be jettisoned.** Near Climax Creek, the Uncompahgre River and other tributary creeks are high water. The key portion of Climax Creek is the section between OCR 18 and the Uncompahgre River, at 9,000 feet. Water flows at divers points down the cliff face to the east, whose upper rim is high above. Finally, Ouray is the ice-climbing center of America, a sport uniquely requiring high water.

If you've been wise and found the blaze,

"The blaze" bears multiple meanings:

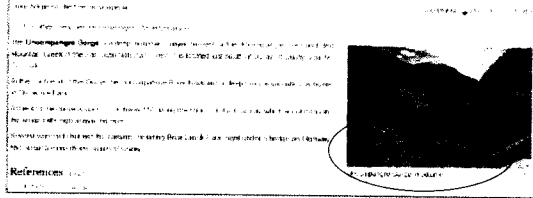
1. **Trees:** In Wikipedia, where one * wises oneself in the web age, at "Uncompahgre Gorge," is found a *blaze of fall color*. The roadside site of that photo is roughly (37.9875, -107.6500), just south of where U. S. 550 and OCR 18 meet.
2. **Fires:** South on OCR 18, uphill from the parking area, at the first hairpin, is a *fire pit* atop an embankment, just above the junction of the Uncompahgre River and Climax Creek, from which point by backwoods paths (37.9871, -107.6477), another *fire pit* can be found.

3. **Water:** Climax Creek and others paint the cliff to the east in ways *resembling blazes on a horse's face* before flowing through woods to the Uncompahgre River (37.9870, -107.6467), "blazing natural trails."
4. **Dawn:** Six stanzas and 24 lines comprise the poem. On June 24 (6/24), sunrise occurs directly above where Climax Creek descends the cliff, at about 62° (ENE), or directly opposite 242°: *that morning, dawn breaks right above Climax Creek*. June 24 is also the Nativity of St. John the Baptist in the Catholic faith – a reference to the "San Juan" mountains – and is the 1699 date on which Captain Kidd hid treasure at Gardiner's Island, N. Y., as abruptly referenced after the poem in *The Thrill of the Chase*, and as reported in the *East Hampton Star*. Finally, Pikes Peak, sacred to the Utes, associated with the sun, lies roughly on the same extended heading.
5. **Turtle:** In Google Maps, if the solution area is aligned so that the top of the image is set at 242° and zoomed, a *linear pattern* formed by U. S. 550 and OCR 18 appears that, with a bit of imagination, resembles a turtle. This is also a blaze. The turtle is a treasure symbol, and with head tucked, indicates treasure is found "here." In a climactic or dramatic twist, a turtle is revealed to be tattooed or emblazoned on the body of Uncas in Chapter 30 of *The Last of the Mohicans* by James Fenimore Cooper (animation), a book Fenn often references. An underlying theme of this work breaks down ethnic and cultural barriers – as did Mears, Chief Ouray, and Chipeta. The turtle is also one of four animals on the seal of the Stockbridge-Munsee Mohican Nation. Finally, in multiple Native American myths, Turtle holds up the world.
6. **Black rock marking slope:** Standing in the second fire pit and facing 242° reveals a slope, clearly visible even from the embankment (see Blaze 2). This slope, marked by a black rock in the shape of an arrowhead pointing downward, as depicted on the cover photo, is central to the solution. **See "Slope" below for details.**

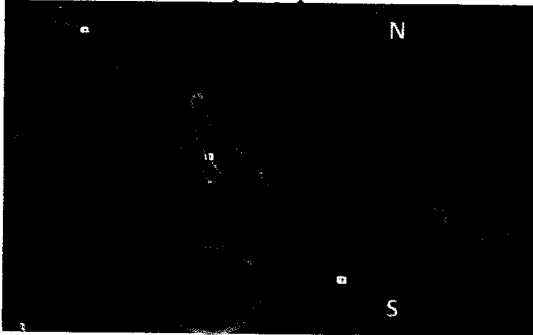
BLAZES ILLUSTRATED

Blaze 1 (trees):

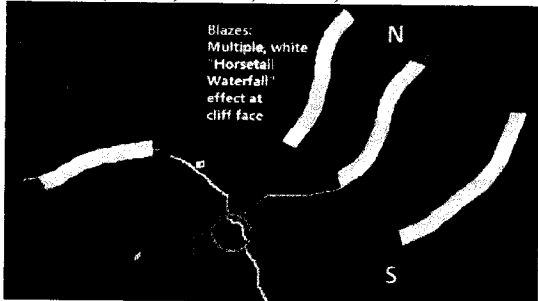
Uncompahgre Gorge



Blaze 2 (fires): Camp fire pits

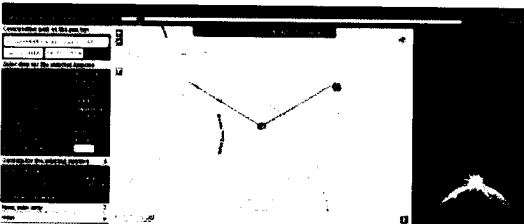


Blaze 3 (water): Falls, creeks, rivers:



Blaze 4 (dawn): Sunrise on June 24

- Poem: 24 lines, 6 stanzas (24th day, 6th month)
- 62° angle (+ 180° =) 242° light
- Rising directly above Climax Creek
- Catholic Nativity of **St. John** the Baptist (in the **San Juan** Mountains of Colorado)
- Extending heading leads roughly to Pikes Peak



Blaze 4 (continued):

- Date Captain Kidd hid treasure in N. Y.

easthamptonstar.com/article/1-1-Captain-Kidd-hid-treasure-in-N-Y



Captain Kidd Visits Gardiner's Island

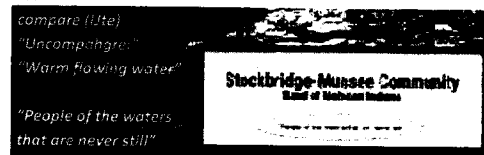
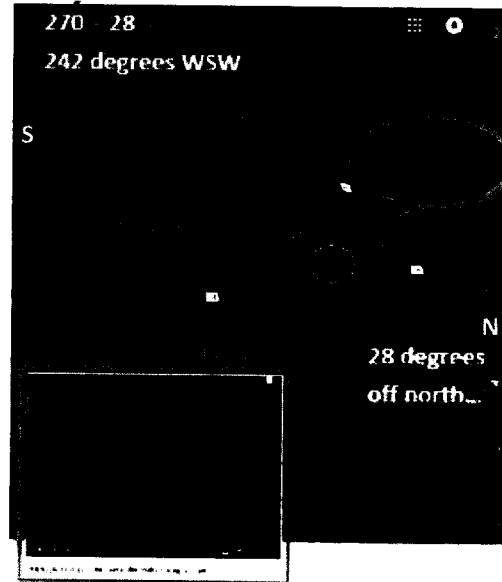
Bill Good Jr. / June 25, 1998

*If I call for it and it is gone,
I will have your head or
your son's.*

On June 25, 1699, in the presence of John Gardiner, Capt. William Kidd buried a treasure, including gold and jewels, on Gardiner's Island. Captain Kidd reportedly said



Blaze 5 (turtle): Shape on map rotated to 242°; tattoo on chest of Uncas in (Chapter 30 of) *The Last of the Mohicans*:



Look quickly down, your quest to cease,

This line bears multiple meanings:

1. From the “Wikipedia blaze” photo site, find the parking area – “look quickly down the road, cease driving, park.”
2. * Quick: having a sharp angle, such as the hairpin in OCR 18 by the fire pit, or the sharp bends in Climax Creek above OCR 18. Descend from either “quick” landmark. Hike into Climax Creek below OCR 18. At the confluence, wade past rusty old mining debris to cross the Uncompahgre River.
3. “To cease” sounds like “two C’s,” evoking Climax Creek. The colophon “ΩΩ” in *The Thrill of the Chase* rotates to two C’s, as the map also must be rotated (see below).
4. The slope (see cover photo and “Slope” below) is a high place from which one looks down. Exploring the west bank of the Uncompahgre River, where the slope is found, ceases the quest.

But tarry scant with marvel gaze,

This line bears multiple meanings:

1. An unpaved road, with a stunning view.
2. Don’t hang around, just get in and out.
3. * Scant is stonemason’s trade jargon for a slab. Tar means “black.” Dark rocks and slabs abound in the area.
4. “Gaze” refers to an eye: see below.
5. See “Slope” below for details of the “tarry scant with marvel gaze” above the slope, which is also a “starry cant with gravel maze.”

Just take the chest and go in peace.

The quest having ceased, with no reason to tarry, the searcher may take himself, heartily or bodily as it were, like the Mohican Uncas with the turtle emblazoned on his chest, to the town named for Chief Ouray, the Ute peacemaker along with his Kiowa Apache wife Chipeta, as described in Colorado Central magazine.

***So why is it that I must go
and leave my trove for all to seek?
The answers I already know,
I’ve done it tired, and now I’m weak.***

The slogan “The Utes Must Go!” headlined Ute removal from what they most treasured: their ancestral land. Nez Perce Chief Joseph spoke similarly while using the sun as a marker.

***So hear me all and listen good,
Your effort will be worth the cold.
If you are brave and in the wood
I give you title to the gold.***

Across the Uncompahgre River at the junction with Climax Creek, **on the west bank**, is a mostly flat, wooded area (37.9865, -107.6478).

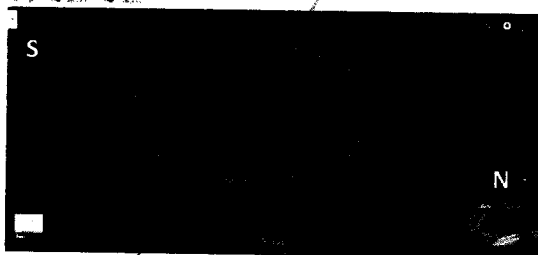
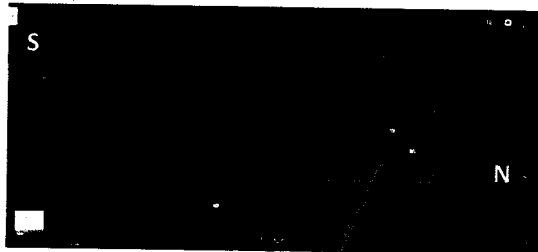
In Google Maps, if the solution area is aligned so that the top of the image is at 242° and zoomed to show the aforementioned turtle, this riverbank, with a bit of imagination, appears to be the eye of the turtle (pin view).



The eastern or bottom boundary of this feature is the Uncompahgre River, and the western or top boundary, the eyebrow, is a vertical wall, a cliff extending upward as part of Abrams Mountain, earlier identified as the “home of Brown.” The wooded, dark, round pupil, thick with trees and bushes, is in shadow. Not only is an eye-shaped area where to “look” for something (as if with “marvel gaze”), but also the “vertical personal pronoun” occurs four times in the fifth stanza, along with “why” and “my” – **by six rhymes, reference to “eye” is clear**. As the only way to access this area is by wading the Uncompahgre River, it could be construed as an “island” (“eye-land”). Finally, “I give you title to the gold” – **the eye of the turtle yields the gold**. This series of rhymes and homophones is partly why the sixth stanza begins, “So hear me all and listen good.”

To cross the cold river and make the effort to explore the isolated west bank – to enter the eye of the turtle – puts the searcher “in the wood” literally and figuratively, as this phrase in darts jargon means the bull’s eye of a dartboard. (Also in Spanish, “tener madera de...” or “to have the wood for...” means “to have what it takes”). The “eye” contains a strip of damp terrain, marked by peat and mud. A word for such a boggy feature is “fen” – thus comes the name of Fenway Park in Boston, or the Fenlands of eastern England. Indeed the San Juan Mountains contain large, unique, biodiverse fens. **So in the eye of the turtle is found: in the forest, a fen.**

The solution is found on the slope in the “turtle’s eye” – a small riverbank area, accessed by wading across the Uncompahgre River to its west bank at its junction with Climax Creek – a place with a fen and wooded sections together comprising “the wood” and marking the end of the quest. See “Slope” below for details of the quest’s central feature. Sharply bounded by river and cliff, it is into this specific place that a searcher is directed: the “fixed address in the outdoors” the poem yields when solved.



The wood Slope Location of forest fen

Solved... are you sure, no box?

As noted, a search of this place, in the Ouray Ranger District of the Uncompahgre National Forest, yields no box. **A strong case exists that the box is concealed only in the poem, still controlled by Fenn to be given on his terms.**

First, in the poem and the dictionary, * effort does not mean *results*, only an *attempt*. * Cold means: premeditated, but also not close in finding, as in a children’s game, or as with a dog losing the scent. Cold frustration might be felt at the absence of cold metal, **at the trail going cold just at the end.** The double-omega “ΩΩ” colophon in *The Thrill of the Chase* indicates a dual ending. Cold *detachment*, a reassessment of the quest and a *new* effort, are needed, as if in the epic spirit of a duty-bound classical hero – for example... Aeneas, of Virgil (see below).

Second, might it fail common sense to abandon treasure outdoors? Pilots seldom relinquish control. With his reputation, his autobiography, in the box, would a proud man, invested in his own stories, allow a stranger to publish his life?

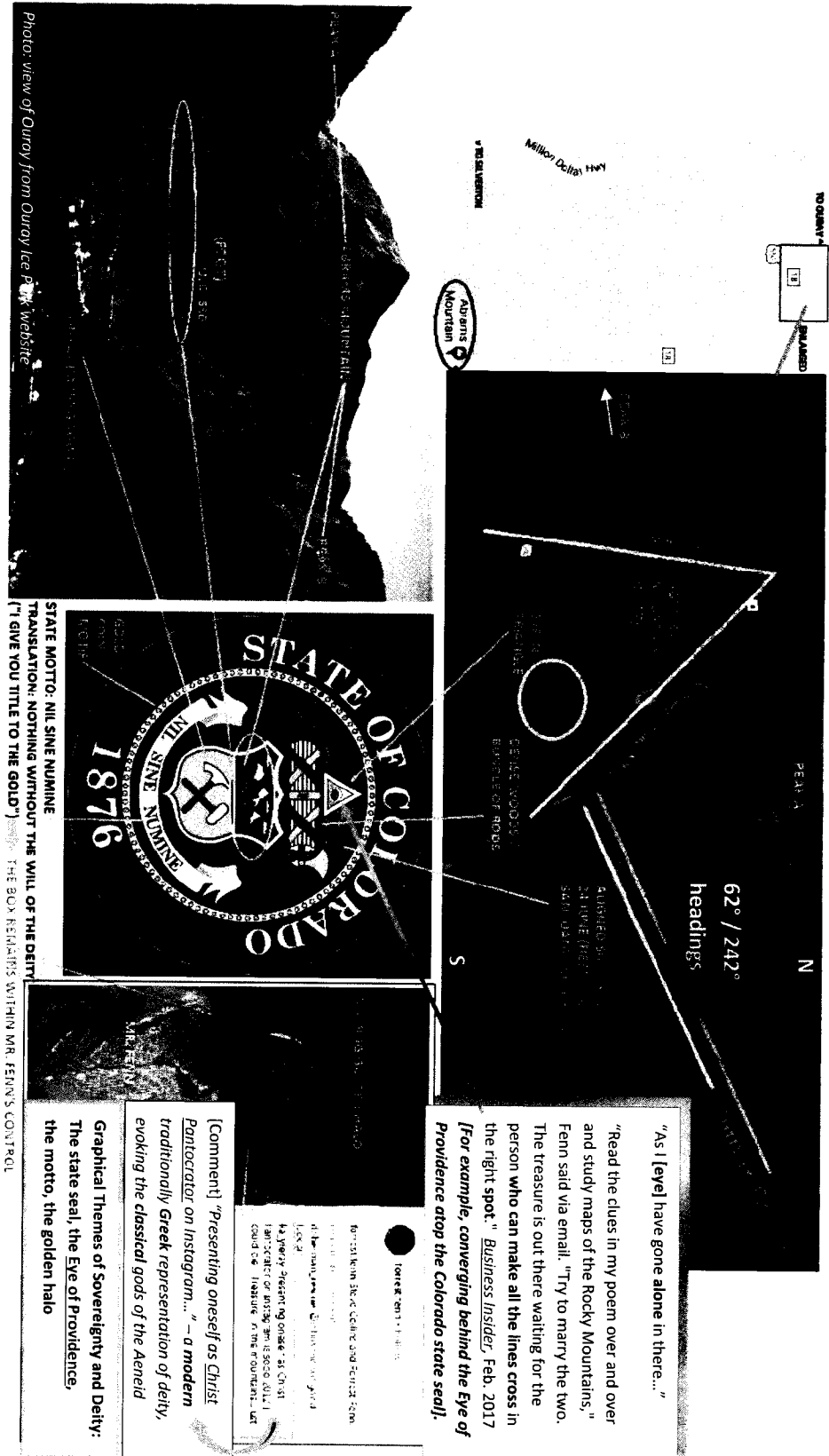
Third, Fenn articulates no good explanation for protecting the delicate box from the elements, and will not confirm or deny its “burial.”

Fourth, the poem explicitly states: ***I give you title to the gold.***

Fifth and compellingly, evidence appears in the Colorado state seal, whose each graphical element matches some aspect of the solution. Nowhere in the poem is the seal referenced, so no inherent reason exists for this consistent match. The seal depicts the Eye of Providence and the motto, “*Nil sine numine.*” This text derives from Line 777 [lucky? jackpot?] of Book Two of *The Aeneid* of Virgil (an epic quest), translating as “Nothing without the will of the deity.” Perhaps with respect to the box, Fenn is sovereign, as the seal indicates, or like a deity, as in a public photo below. One must have been brave, “have moved with confidence,” and have been precisely on target, to motivate him to **give title to the gold, if Fenn so chooses.**

State Seal of Colorado (plus, Fenn's Instagram)

As if from the plot of a popular mystery novel, the seal independently proves accuracy – as a subsequent proof, superfluous were a box to be found – while evidencing that Fenn retains control of the box and the quest:



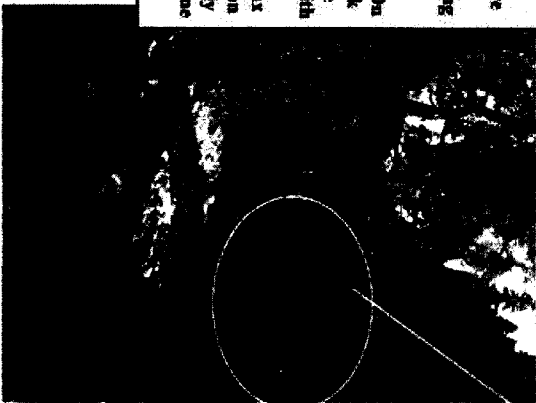
Let "brave" be judged by my purpose and actions, but it can be proved that I am, as darts players would say, "in the wood."



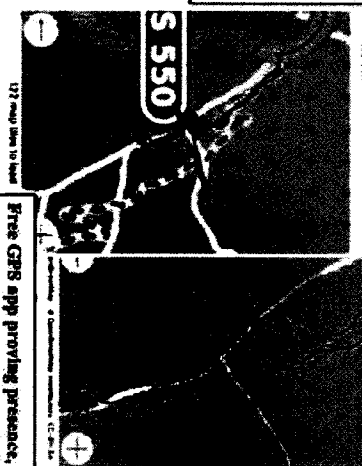
Within the "eye" (in the triangle) "where all the lines cross," within the only locally accessible portion or pocket along the west bank of the Uncompahgre River, the dense, round wood matches the fascis or "bundle of wooden rods" on the state seal. Two "X-shaped" bands ("Union" and "Constitution," or what the military defends) bind the fascis. The 24th letter of our alphabet is X, and of the Greek alphabet, Ξ. The poem ends after 24 lines ("2-4, to walk"), while the "123" colophon of *The Thrill of the Chase* matches "XX" on the seal. This wood marks the end of the quest.



The Uncompahgre River, in drought, facing south: a wilderness "corridor." On the west bank (right) is the "eye" area, with the "wood" visible. Climax Creek junction is immediately left of iron mine debris.



Drought makes it possible: Shovel plunged to bottom of roaring whitewater "hole" in the Uncompahgre River, at the south end of the "corridor."



Free GPS app proving presence, place and time of photos (also proved by file details of photos).

"I have not been and in the wood, I give you little to the gold." E. Fern

National Treasure (2004) feature film

starring Nicholas Cage, directed by Jon Turteltaub, produced by Jerry Bruckheimer

In a 2013 interview, celebrity author and actress Suzanne Somers stated, “Forrest Fenn is a national treasure.” Not only is this a reference to the 2004 movie *National Treasure*, starring Nicholas Cage and directed by Jon Turteltaub, but also the Fenn treasure location is in a national forest. Promotional material for the film features the Eye of Providence, matching the Colorado state seal. The name Turteltaub indicates: 1) Turtle, and 2) *die Taube* as the German word for *dove*, the bird of peace. Chief Ouray was the peacemaker, while the name of his wife Chipeta – also an accomplished diplomat, who also met with Presidents – translates as “White Singing Bird.” In “turtle dove” is indicated a *turtle in close proximity to Ouray*. The film also references an Ottendorf cipher, in which three-digit numbers derive from texts, such as “too far to walk” as “2-4-2.”

National Treasure (film)

and the free encyclopedia

This article is about National Treasure. For other uses, see *National Treasure* (disambiguation).

National Treasure is a 2004 American adventure heist film produced and released by Warner Bros. Pictures. It was written by, and directed by, John Dahl, and stars Nicolas Cage, Helen Mirren, Jon Voight, Anne Hathaway, Sean Bean, Justin Bartha, and Michael Warner. The film is a sequel to the 2001 film *The Da Vinci Code*.

The film is a sequel to *National Treasure: The Book of Secrets*. In the sequel, the President's son, Alexander, is kidnapped by a group of mercenaries who demand a ransom of \$100 million. The President's son is kidnapped by a group of mercenaries who demand a ransom of \$100 million. The President's son is kidnapped by a group of mercenaries who demand a ransom of \$100 million.

National Treasure was released worldwide on November 19, 2004. The film received mixed reviews from critics, but was a box office success, grossing over \$147 million worldwide.

A review of the *United Nations Treaty Body of Experts* was presented in December 2007.

Celebrity author and personality Suzanne Somers, 2013:
"Forrest Fenn is a dear friend for over 30 years and is a major national treasure."

Note that the Fenn treasure site is also in a national forest

Contents

- 1 Plot
- 2 Cast
- 3 Production
- 3.1 Development
- 3.2 Financing/locations
- 4 Soundtrack



Directed by
Produced by

Turteltaub: turtle and dove
die Taube: German for dove
Turtle blaze at box site
Ouray nearby, named for
Chief Ouray "the peacemaker"
Dove is symbol of peace

Ben and Stacy return to Washington D.C. in order to steal the document number for the presentation room and return the Deltacade. When the clerk refuses to let them pursue Ben and takes back the cocaine Agent Saksby, he gives them Ben's name. Unable to return home, the two go to the Los Angeles office. Ben tells the head of the Chicago office, Phil, to transfer him to the Chicago office. Parole Officer, owner of the shop, points to the east wall of the prison, pointing to the door, saying of Ben, "Following the point on the door, walk on."

Film plot summary references
"Ottendorf cipher" in which text
encodes three-digit numbers
("too far to walk" = 2-4-2)

https://en.wikipedia.org/wiki/Duck_cake

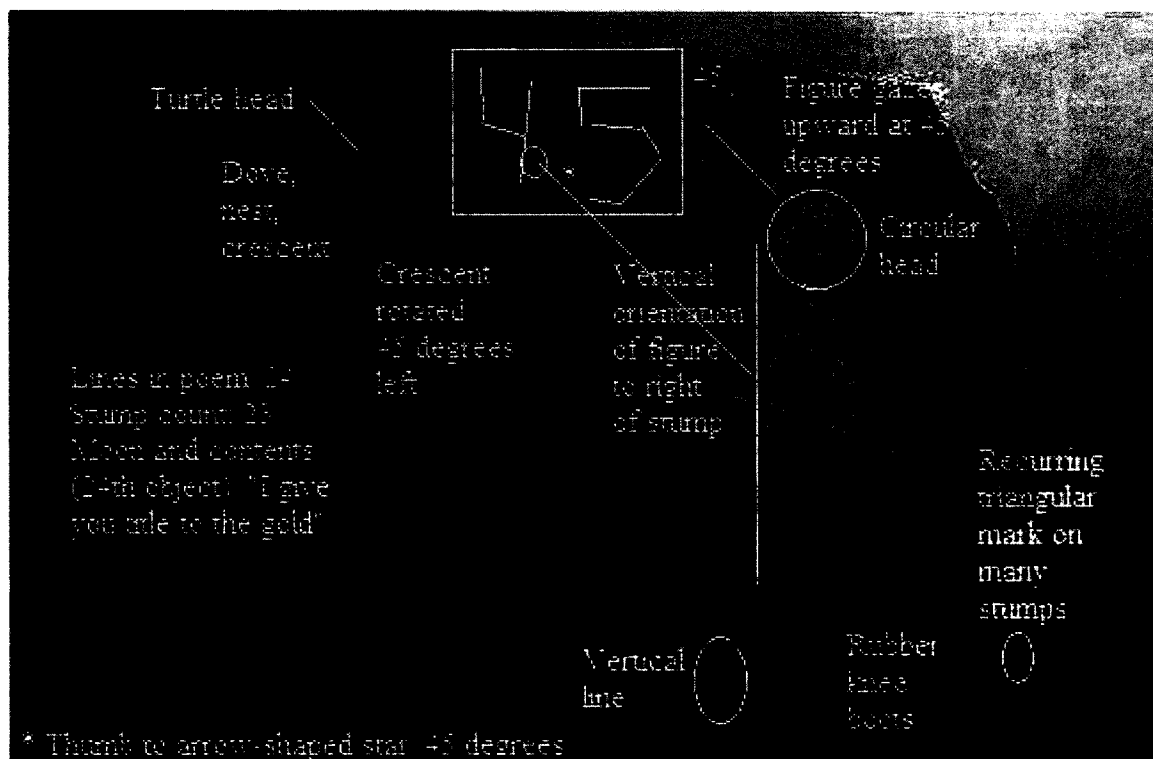
- In the 2001 film *National Treasure*, an **Ottendorf cipher** is discovered on the back of the U.S. Constitution.
- The protagonists of the *Katrina* rock novel *The S-S Survivors* used a book cipher to send out the messages were sent via the Lord of the Rings to make the key text harder to find.
- In *Last Mystery*, or *The X-Files*, a series of four bizarre puzzles released in 2007, **Ottendorf ciphers** were used.

SOLUTION KEY: SLOPE

Epilogue illustration

The below illustration by Allen Polt is found in the epilogue of *The Thrill of the Chase*. Like the story of Captain Kidd following the poem, the abrupt illustration without text or context suggests clues.

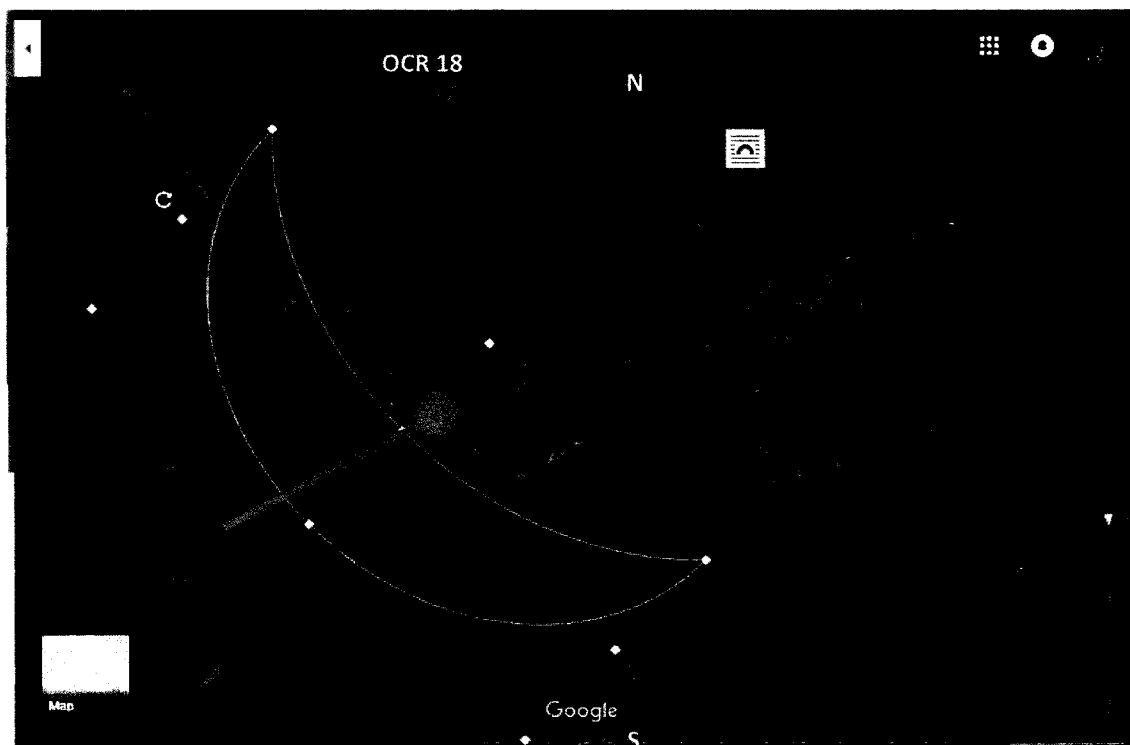
Details in the annotated illustration below include stumps, the dove in the moon, and the turtle's head peeking from behind the dove, "south of the dove" as it were, just as the correct site is found at the "turtle blaze" south of Ouray. A bird's nest is made of brushy wood, just as the correct site includes an isolated, prominent bush high on a slope. To the right of the dove's head, the stars arrange to read "45." The figure of a man looks up at a 45° angle. At the same angle extended from his right hand is found a star with a pronounced ">" or arrowhead shape, at which the dove also looks. The figure's garb, which forms an "F" shape on his chest, more resembles that of a fisherman than a logger, particularly the footwear, suggesting identification with Fenn, who is known to enjoy fishing. Loggers typically wear ankle-high boots with steel toes, not knee-high solid rubber black boots suited to wading, and do not wear overalls or waders. Note his tall presence slightly behind and to the right of the stump, holding a thin-handled ax vertically. The triangular marks at the base of many stumps have a recurring quality, while 45 is also a "triangular number." Finally, note the thin vertical line extending upward from the triangular mark on the stump on which the right boot of the figure rests.



Note that left and right edges of the illustration were "copied in" (or "photoshopped") and that the original spans roughly from the moon at left to the figure at right. This was done to increase the stump count to 23 and to make the moon the 24th object in the image.

Bows, arrows, slopes

Below, note the crescent or lune shape of the correct site on the west bank of the Uncompahgre, within the “eye of the turtle.” The lune is rotated (by 45°) in the same direction as the moon in the epilogue illustration. Its shape is similar to a bow, a weapon used by Native American warriors or “braves.” The northern area of the lune contains the “forest fen.” The area at the widest part of the lune is a slope, a partial collapse of the cliff wall.



As noted, two fire pits, or “blazes,” are found on the east bank. One is found on the gray embankment at the first hairpin in OCR 18 (marked at top left center) and the other roughly at the gold circle. The gold line extends 242° from that circle. The name of Chief Ouray means “arrow” and the above map, when marked with the location of the fire pit and the 242° line, seems to show an arrow being fired through a bow, at the upward angle a real arrow would be loaded. Also, every 45th word of the 166-word poem is: “walk down now,” describing how to access the site, initially from the embankment and later from the gold circle by walking along the path of the line.

The lack of a box in what seems clearly the correct area might be related to the 23 artlessly identical stumps found in the epilogue illustration, often with the same dark triangular notch in front. After 23 lines of poetry, the reader is “stumped.” Chopping wood is productive, methodical work performed bit by bit, similar to the mental effort of puzzle solving. Suddenly, as if in line 24, when the turtle, dove, nest, crescent, and other features are accurately perceived, treasure is manifest: “I give you title to the gold.”

The solution is the slope, found along the gold line. Refer to the epilogue illustration and the above satellite map, with the gold circle and gold line, when viewing the photos below.

As noted above, "scant" is stonemason's trade jargon for a slab. The fire pit at the gold circle is full of tarry rocks, the residue of campfires. Above the center of the slope is a dark rock feature in the shape of an arrowhead pointing down. At lower center, a boulder casts a dark shadow; "scant" next to a "tarry" color. This feature resembles not only an ancient Greek rock tomb entrance, as if for a classical hero, but also the shadow matches the recurring triangular mark found on stumps in the epilogue illustration. The rocky slope at left is a ramp of scant. The tall, thin tree in front of the cliff wall, behind and to the right of the boulder, recalls Aeneas and the golden bough and in composition is similar to prominently vertical aspects of the epilogue illustration, including the figure and the ax. When compared, the triangular mark and vertical line on the stump would scale to the shadow next to the boulder and the tall tree behind.



The below photo shows the view as if from the gold circle, or from the second fire pit, while looking as if along the gold line. Found both at the center the lune and between two river bends ("double omega"), with one bend visible below, this location will be termed the "slope" and this photo the "slope photo."

As conclusive visual proof, the original epilogue illustration scales to match the slope photo. The slope is “starry cant with gravel maze” – a slope (“cant”) with stars above indicating its angle (45°), whose surface is composed of rocks bound by roots and branches of bushes growing downward parallel to the slope, forming a dense, impenetrable ground cover.



“Don’t go anywhere a 79 or 80 year old man couldn’t go.” – Fenn, October 3, 2012

Fenn had *The Thrill of the Chase*, with its epilogue illustration by Polt, published in January 2010. Erskine, who solved the quest, took the slope photo in August 2018. Because the illustration derives from a natural outdoor scene (not the other way around), *Fenn, who commissioned the illustration, must have taken a similar photo before 2010, proving that Fenn was at the site while planning the quest.*

Returning to the poem:

If you've been wise and found the blaze (the second fire pit, at the gold circle above)
Look quickly down, your quest to cease (walk 242° along the gold line, toward the boulder, the tree, and the black rock mark on the cliff)
But tarry scant with marvel gaze, (and starry cant with gravel maze)
Just take the chest and go in peace (go to Ouray, the nearby town named after the Ute peacemaker)

"Tarry" refers not only to the rocks in the fire pit, the black shadow cast by the boulder, or the black rock on the cliff face behind the slope, but also to...

Wyandot Chief Tarhe and the Battle of Fallen Timbers

...the Wyandot chief, Chief Tarhe, who with Native American allies and Canadian militia suffered defeat by American forces under General "Mad Anthony" Wayne at the decisive Battle of Fallen Timbers in 1794. After this battle, General Wayne advanced to Kekionga, capital of the Miami nation, and built Fort Wayne on its site. The 1795 Treaty of Greenville concluded this war, effectively the first of the wars in the American history of "how the West was won." Recalling the turtle theme, note the repeated turtle emblems found at the top of the Wyandot Nation webpage about the history of Chief Tarhe, certain details of which feature below.



The phrase "in the wood" from the poem, the 23 stumps in the epilogue photo, and the thick tangle of riparian willows at the site all evoke the name of that battle, fought amid tornado-toppled trees behind the Maumee River at a site now found in suburban Toledo. This river's basin, before it was drained and farmed by American settlers, was known as the "Great Black Swamp," a vast, forested fen. Among Native American leaders in the battle were Chief Little Turtle of the Miami, Chief Turkey Foot of the Ottawa, and Chief Roundhead also of the Wyandot, repeating the turtle theme and matching the circularity of the head of the figure in the epilogue illustration. The Wyandot, also known as the Huron, figure prominently in *The Last of the Mohicans*, referenced above. When Fenn stated that the treasure is more than 300 miles west of Toledo, it was a clue referring to the location of this battle.

As in the slope photo, Chief Tarhe's name means "tall tree" as he was of great height. Reputedly, he also was a man of great character. The Wyandot fought with valor in this battle – a reference to "brave," or "as if their backs were to the wall," like the site. Chief Tarhe sustained a serious wound – in the elbow, just as the river bends at the slope. Chief Turkey Foot fell near a large rock at the riverside, preserved in front of a tall marker in the battle's memorial park. Examination of the facing side of the boulder in the slope photo reveals a "turkey foot" pattern, where the long central toe points roughly at the tree. Despite the later leadership of Tecumseh, this battle broke local Native American power and drove Tarhe to a statesmanlike peace posture and to side with the United States, similarly to Chief Ouray decades later.

General Wayne is associated with the 1792 establishment of a permanent American military and with recovery from the worst combat result in American history, St. Clair's Defeat. Fenn was a combat pilot in Vietnam, shot down twice. The Vietnam War represented a negative outcome for America and its

allies, requiring cultural adjustment for America and personal recovery for its veterans. The heavy helicopter the Army used during the Vietnam War to retrieve downed aircraft by cable hoist was the Sikorsky C-54 Tarhe.

Below is an 1868 map of the Battle of Fallen Timbers. General Wayne's forces quickly routed the Native Americans, who fled toward Fort Miami, a British post sited downstream. However, the fort was built on and into the bluff at a point dominating the river, giving the fort both river access and high ground, not incompetently as shown on the map where hostile forces on the bluff could dominate the fort. Also, the arrow shown points roughly northeast, not north. Regardless:



Note the (vividly but quasi-accurately) illustrated combat and retreat path of the "Indians," from the bluff, down to the river, and toward the fort.

Though the Northwest Territory already belonged by treaty to the United States, American control was not yet manifest – hence the war. As noted above, it was at this battle that the Native Americans first started to lose their "treasure" – their Western land – to actual conquest by the independent United States.

This map is similar to the "eye of the turtle" riverbank terrain of the slope photo.

If outdoors and not in Fenn's secure possession, the treasure likely will be found where the "Indians" figuratively left, lost, or dropped it – near the tall tree in the slope photo.

Referring to 23 stumps in the epilogue illustration and 24 lines in the poem, the battle site is next to a highway interchange in the shape of a cloverleaf – a symbol of good luck – at which U. S. 23, also Interstate 475, crosses U. S. 24. The east-to-west route of U. S. 24 extends from Toledo through Fort Wayne, a 242° heading matching the path of General Wayne following victory at Fallen Timbers, to Colorado Springs – and Pikes Peak. Also, immediately upstream from the battlefield is a true "home of Brown" – the Maumee River Wastewater Plant).

When Fenn said in *Esquire* magazine that “the treasure chest belongs to *destiny*, it’s part of *history*,” those were also clues. **Clearly, he meant “manifest destiny” and “history” of the kind depicted below, in 1872.**



Public Safety, Risk, and Moral Empathy

This puzzle is tough. It might be widely assumed to be a scavenger hunt of limited dimension, in which a persistent searcher, at last having found and labored at the spot marked “X,” finally would emerge from a woods, triumphantly hefting a jingling fortune. Refuting any such self-validating belief is crucial. The dauntingly complex solution represents an endurance and character test.

Some have divined that reaching the indicated place requires crossing a river. The correct river is the Uncompahgre, at 9,000 feet altitude, where it is usually safe to ford in waders. But just below the crossing point, the river chutes and rages, plunging into a gorge and showing how **casual searchers at the wrong rivers present perennial risks**. Powerful rivers thread and scour the Rockies. Personal responsibility aside, people routinely misapprehend risk, particularly the danger of water. The treasure is dazzling and the word “brave” in the poem can mislead. In the Rockies, rivers are most safely avoided at spring thaw, high water can persist through June, and some rivers never should be entered. Yet searchers, who might lack experience with the humbling vastness of the region, often solve in winter, and come spring, are eager to start. Because the map is not the territory, searchers make a paper plan, travel a distance to an area, and then having invested time, money, hope, and self, might take rash actions in unfamiliar terrain. Drowning is not the only risk. This quest appeals to the unprepared, drawing the vulnerable into outdoor difficulty – the more predictably, because it has already occurred.

After a period of wider publicity for the puzzle, at least four fatalities in rivers including the Rio Grande or Arkansas, or from falls, have ensued. Costs and risks to rescuers have incurred, while regrettable absurdities have resulted. In future, as the legend persists, the **foreseeable, open-endedly dangerous public safety dynamic** could become harder to contain. Searchers, citing adventure and liberty, insisting that “no one has found the box,” might reject advice to quit. Authorities in four Western states, including sensitive places such as Yellowstone National Park, might be reacting to searcher mishaps – indefinitely. This is all the more insupportable because of the hidden twist that **the quest, while real, leads to independent proof, showing that treasure is not to be claimed when found abandoned outdoors**.

For these and other reasons, including the high moral character of key figures such as Chief Ouray and Chipeta, who as Native Americans suffered for their identity yet protected and saved others regardless of identity, the public safety case made by New Mexico State Police Chief Kassetas and others is sound. **With an accepted solution, the quest can conclude – positively, for all.**

The Quest of Aeneas, Classical Hero

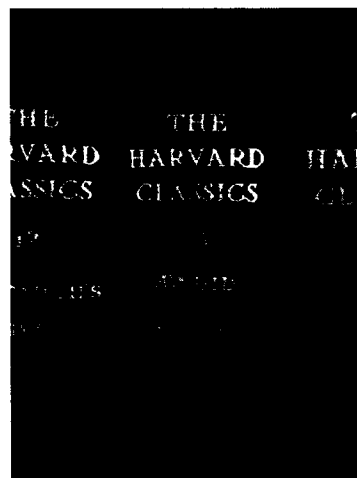
In his epic journey westward from Troy to Rome, **Aeneas is the dutiful tool of the gods**, pious in the Roman sense to the point of almost lacking free will. He is the vessel of fate, respecting his destiny and subordinating emotions and desires. He suffers personal losses and trials. He also has help, **consistently has compassion and empathy for others**, and is family-focused. An admirable and partly relatable character, Virgil intended him as a moral example to Romans. Beset with auguries, omens, promises, threats, and guesses throughout the *Aeneid*, **the job of Aeneas is to realize fate honorably, to serve as a vehicle for a story larger than himself**. Reading the whole *Aeneid* likely reveals other links to the quest, but to show one clear link: Fenn, whose writings show respect for his father, explicitly associates the box site with his own final resting place. After Aeneas prays at the river boundary of Hades, where he will meet his father and seek counsel, two doves guide Aeneas through woods to seize a golden bough.¹ The doves evoke Chief Ouray as peacemaker and Chipeta, whose name means “White Singing Bird.”

The Aeneid of Virgil
(Colorado State Motto: Line 777)

[752] "First I seek again the walls and dark gateway by which I had left the city; I mark and follow back my steps in the night, scanning them with close eye. Everywhere dread fills my heart; the very silence, too, dismays. Then I turn homeward in case – in case she had made her way there! The Danaï had rushed in and filled all the house. Forthwith the devouring fire rolls before the wind to the very roof; the flames tower above, the hot blast roars skyward. I pass on and see once more the citadel and Priam's home. And now in the empty courts of Juno's sanctuary Phoenix and dread Ulysses, chosen guards, watched the spoil.

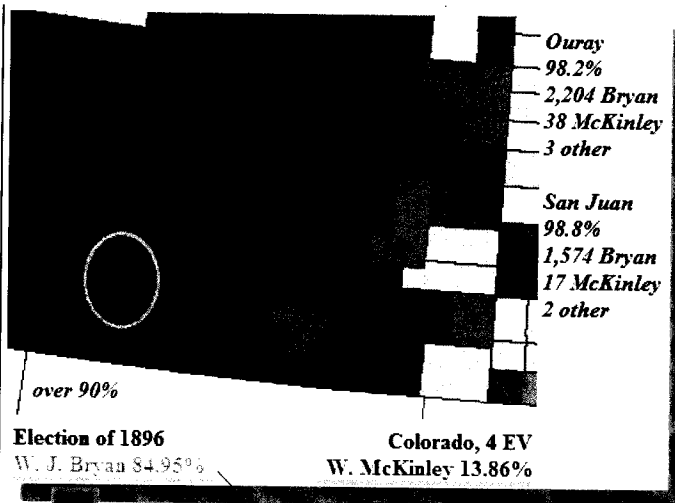
... boys and trembling matrons in long array stand round ... Nay, I dared even to cast my cries upon the night; I filled the streets with shouts and in my misery, with vain iteration, called Creūsa again and again. As I rushed in my quest madly and endlessly among the buildings of the city, there rose before my eyes the sad phantom and ghost of Creūsa herself, a form larger than her wont. I was appalled, my hair stood up, and the voice choked in my throat. Then thus she spoke to me and with these words dispelled my cares: 'Of what avail is it to yield thus to frantic grief, my sweet husband? [778] does this befall; that you should take Creūsa from here in your company cannot be, nor does the mighty lord of high Olympus allow it. Long exile is your lot, a vast stretch of sea you must plough; and you will come to the land Hesperia, where amid the rich fields of husbandmen the Lydian Tiber flows with gentle sweep. There in store for you are happy days, kingship, and a royal wife. Banish tears for your beloved Creūsa. I shall never look upon the proud homes of the Myrmidons or Dolopians, or go to be the slave of Greek matrons, I a Dardan woman and wife of the son of divine Venus; . . . but the mighty mother of the gods keeps me on these shores. And now farewell, and guard your love for our common child.' When thus she had spoken, she left me weeping and eager to tell her much, and drew back into thin air. Thrice there I strove to throw my arms about her neck; thrice the form, vainly clasped, fled from my hands, even as light winds, and most like a winged ream. Thus at last, when night is spent, I revisit my companions."²

¹ Virgil, *Eclogues, Georgics, Aeneid*, Translated by Fairclough, H R. Loeb Classical Library Volumes 63 & 64, Cambridge, Mass. Harvard University Press. 1916. Book Six, Lines 183-211.
² *Ibid.*, Book Two, Lines 752-795.



Conclusion

Presumably, the box remains with Fenn. Publishing the solution aims to preserve true treasures — the solution, the treasure. Likely Fenn will give the box only when and as he sees fit, and likely only to someone he judges worthy. Such a standard would reflect the good nature of Chief Ouray, Chipeta, Mears, Uncas, and even the epic hero Aeneas, all featuring in the quest. Showing character greater than obstacles and always seeing beyond themselves, all bore insecurity, danger, loss, pain, failure, conflict, and journeys for larger, wider, forward-looking goals, benefiting others.



A reporter approached and asked who [Bryan] thought would win the nomination. "Strictly confidential, not to be quoted for publication: I will be."

"I would be presumptuous, indeed, to present myself against the distinguished gentlemen to whom you have listened if this were a mere measuring of abilities; but **this is not a contest between persons. The humblest citizen in all the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error.** I come to speak to you in defense of a cause as holy as the cause of liberty — **the cause of humanity.**"

— William Jennings Bryan
Chicago
July 9, 1896



*We shall not cease from our exploration
And at the end of all our exploring
Will be to arrive where we started
And know the place for the first time — T. S. Eliot*

*"They never knew it was the chase they
sought and not the quarry."
M. Secret: Duveen: A Life in Art, 2004*

Afterword

The solver thanks Fenn, Polt, family, friends, the searcher community, the New Mexico State Police, and other public safety authorities. As of the date of this document, the solver has not significantly interacted with searchers online, has never met or mutually corresponded with Fenn, and has explored only the site and its immediate vicinity.

Montrose monuments

The Ute Indian Museum is sited in a public park in Montrose. The park contains a peace pole surrounded by a low, circular stone wall, forming a circumpunct ☉, a traditional symbol of the sun and of the trail's end. The Ute band of which Chief Ouray was a leading member was called "Tabeguache" or "People of the Sun Mountain," now known as Pikes Peak. In the park are found both the tomb of Chipeta, who died in 1924, and an obelisk erected by the state in 1926 honoring Chief Ouray and Chipeta. Both tomb and obelisk align so two of four sides face 62° and 242°, confirming the treasure site.

"Who is John Galt?"

A modern "epic hero" with subtle parallels to the quest merits mention: John Galt, the antagonist from *Atlas Shrugged* by Ayn Rand. He is a "mystery man," as the quest to answer the query "Who is John Galt?" defines the book, just as the one of the features of the Fenn quest entails wonder about who would solve it, or even about Fenn. Galt is a "rugged individualist," just as Fenn requires the solver to be "brave" and to "have moved with confidence." In the novel, motivated and organized by Galt, creative leaders of productive value and talent "strike" or secede from wider society, building a secret enclave or a kind of utopia, "Galt's Gulch," at a fictional location based on Ouray. Galt's love interest, protagonist and rail baron Dagny Taggart, a "powerful mover and shaker," envisioned Galt as an ideal man "at the end of the railway," just as Ouray was a rail spur terminus. Taggart eventually names a Colorado spur of her railway the "John Galt line." When Galt finally emerges, he openly opposes the idea that individuals must be responsible for each other. Taggart identifies with him, suggesting others also do by answering the central question, "We are!" and endorsing Galt's philosophy, which of course reflects Rand's.

Given the puzzle's resonance as an individual quest for treasure, it makes sense that the solution leads to Galt's Gulch. This matches both Fenn's character and the individualist, unforgiving character of much nineteenth-century mining in the San Juans. However, while Galt has a certain appeal as an epic archetype, in reality we can't just "go Galt." We are inescapably and purposefully responsible for each other, both in moral principle and in practice. Chief Kassetas and others are right that we must care, and must act, when people are repeatedly, predictably, open-endedly risked, injured, or killed pursuing recreational quests and misapprehended goals by distorted means. It is our moral duty to care, to put their well-being first: as noted earlier, Fenn states, "we are all here for the pleasure of others" – to serve and protect others, to achieve greater aims, higher goals beyond ourselves.

It all adds up

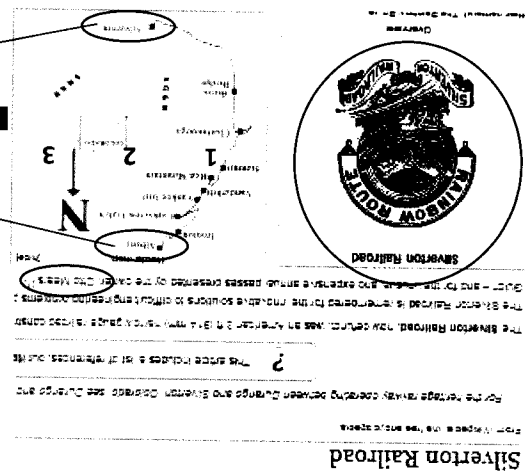
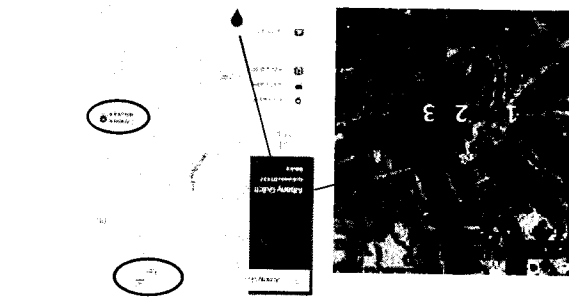
The positive integer values of the longitude and latitude of the correct site are 107° (W) and 37° (N). These sum to 144. The poem contains six stanzas and 24 lines, two numbers that have other significance for the solution. Their product is also 144.

Some other clues:

Fenn said in an interview: “

an online recreational panoramic film footage of
Lake Como, the crest of Brown Mountain (peak)
is in the background after 1:10 while the
source of Cement Creek (not visible) lies just

25



Comprehensive knowledge:

The solution derives deductively, inductively, and abductively, using logic, art, and creativity. Accuracy, persistence, and grit are required. Navigation and spatial skills must work together. Integrated and ethical reasoning are needed. Self-validation, and validation by email, are unavailable. A person must venture, follow through, and push for truth, risking treasure to achieve more, just as Fenn has. He states, "We are all here for the pleasure of others" – to serve and protect others, to achieve greater aims, transcendent goals beyond ourselves.



In an online recreational panoramic film footage of Lake Como, the crest of Brown Mountain (peak) rises in the background after 1:10 while the source of Cement Creek (not visible) lies just beyond the ridge behind the lake. Uncompahgre River headwaters appear after 1:30, a view down the gorge into Poughkeepsie Gulch appears after 2:00, and entry and exit points to the lake – warm waters, halting – appear in a remarkable overhead view at about 3:25.

When Fenn cited "the end of my rainbow and my treasure" he referred to the Silverton Railroad, the Rainbow Route. Owned by Mears, this narrow-gauge line terminated below Abrams Mountain, near Albany Gulch, in Ironton Park at (37.9627, -107.6616). The plan was to link to Ouray, but terrain proved prohibitive and the Panic of 1893 busted the effort. The former terminus and the box site are located below the same peak.

The box is "wet by now" because of "physics" presumably because it's on a slope down which water flows. A person could "get on a bike and go get it" because people drive motorized dirt-bikes on OCR 18. When Fenn stated that the box is not in close proximity to a human trail, he begged the next question ("So what kind of trail is it near?") The correct inference is that the box is close to natural trails (Climax Creek, Uncompahgre River). Finally, Fenn advised involving children in the effort not only for fun, but because children enjoy homophones, view maps and see turtles, and use the word "cold" to mean "keep looking."

Fenn said in an interview: "Many have given serious thought to the clues [but] few are in tight focus with a word that is key." "Focus" refers to an eye, and "key" to the oblong word shaped like a key ("I").

Some other clues:

State Seals

COLORADO: *Nil sine numine*
“Nothing without the will of the deity.”



ARIZONA: *Ditat deus*
“God enriches.”

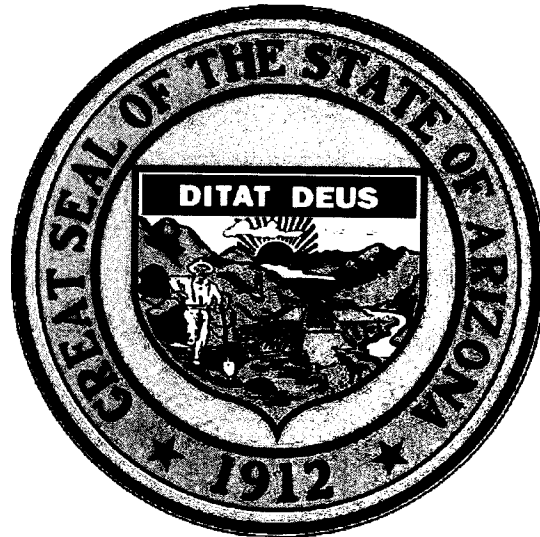


EXHIBIT C

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This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

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Date of 1st Publication: June 04, 2019
Nation of 1st Publication: United States

Author

Author: Brian Joseph Erskine
Author Created: text and photograph(s)
Citizen of: United States
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Limitation of copyright claim

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EXHIBIT D

TRUE WEST DRAFT ARTICLE SUBMISSION

FENN SOLUTION ARTICLE SUBMISSION

TRUE WEST PUBLICATION OUTLINE

TRUE WEST STANDARDS:

*We highly recommend that the **query** you submit along with your proposed **manuscript** share the following information:*

1. How your article will enhance our readers' understanding of **Old West** history.
2. **How your interpretation of the facts compares to other works that have addressed your topic.**
3. The **larger significance** of when, where and why a certain event or experience occurred.
4. **Concrete descriptions** you will provide to seamlessly integrate story and context.
5. Any connection your historical focus has to the **present day** (perhaps through an anniversary or modern-day discovery)

True West
6702 East Cave Creek Road #5
Cave Creek, Arizona 85331

Dear Bob,

Renewing our discussion, the enclosed submission has clear purpose. It meets the five *True West* standards and, I believe, the sixth standard of "*True West* quality and reader appeal." It also has the informal approval of Kevin Pitts, President of the Prescott Area Art Trust, and other community leaders.

While recently touring Bronzesmith, I saw your work *Not-So-Gentle Tamer*, its results, and much else. The artisans in action are amazing and the Skull Valley foundry story is of key arts interest. Through my younger sister, a visual artist and MFA, I have some grasp of the hard work and risk that arts entail. Particularly after attending the Western Heritage Center annual awards banquet, I look forward to benefiting the Prescott arts community as described in the submission.

I shared the draft with a retired journalist friend of a certain age who wrote for *Time*, *Life*, and other majors. An Eastern lady who counts Roosevelts in her circle, she was new to the quest but described the article as clear and compelling. If published, I will gift her a *True West* subscription, to her cultural benefit.

Clearly, Fenn will not pre-validate the solution. He tacitly expects me to do what I am doing, to be able and motivated to write for publication, overcoming inherent credibility hurdles without his help. All else is to your judgment — this is about "value for others" including your readers. Should you agree, I believe good results would yield, giving Fenn, 89, a valedictory exit he likely wants.

Thank you for making this submission possible. The Fenn memoir and quest published in January 2010. Perhaps an "anniversary article" in early 2020, also marking six years since Fenn's early 2014 *True Westerner* award, could provide context (for example, "After 10 years, *True West* will take our best shot at the quest.")

Best

Brian Erskine
Prescott

DRAFT ~ FINAL

HOW THE QUEST WAS WON?

One searcher finds visual proofs solving the Forrest Fenn treasure quest and a Western arts community to serve.

by Brian Erskine

Six years ago, *True West* presented Forrest Fenn of Santa Fe its second annual *True Westerner* award. His treasure quest, described in 2013 in *True West* and elsewhere, stems from a poem featured in his 2010 memoir *The Thrill of the Chase*. The poem codes the spot in the Rockies where retired Major Fenn, 89, a decorated Vietnam War combat pilot, artist and art dealer, and author, ostensibly hid treasure. As described to *True West*, the hoard contains gold nuggets, gems, jewelry, coins, artifacts and other Western and Native American valuables, notably including Fenn's autobiography.

The Fenn quest has inspired thousands to explore and delve the West. However, at least four accidental deaths, several outdoor rescues, and a few crimes have driven authorities, including the New Mexico State Police Chief, Gallatin County Sheriff in Montana, and Yellowstone National Park rangers, to call for the quest to end or for its risks to be mitigated.

Working from Prescott, Arizona, I have solved the quest, thoroughly and by visual proof. I also affirm Fenn to have been truthful, often counterintuitively. The quest has three key design features:

- one unique, correct location
- a virtual treasure, intentionally absent, with Fenn securing the real treasure
- disentanglement: an onus on the searcher to motivate Fenn to award it

This article confidently pursues that goal. It shows the visual proof, exposing the solution. It provides community context for an award. Finally, when Fenn uses the Colorado state motto to challenge the solver, I respond with the Arizona state motto, respectfully beating him at his own game.

It is apocryphal that the quest is a mere scavenger hunt for an abandoned box. Fenn flew over 320 missions and was shot down over the jungles of Laos. Never again would he relinquish control or “unass” — politely, jettison — hardware in remote woods. Guaranteed failure by quest design is a test of grit, resilience, poise, and purpose. Before giving title to the gold, Fenn requires that anyone to be entrusted with his legacy go well beyond correctly solving, earning the privilege on his terms.

The Fenn poem is a modern literary masterwork requiring a book to detail. Decoding the poem is fundamental to solving the quest, but with the quest solved, this article relegates the poem to the background. The visual proof is key, “the picture worth a thousand words.”

Briefly, a poem of six stanzas and 24 lines indicates June 24, the Nativity of John the Baptist, connoting both the San Juan Mountains of Colorado and a river.

“Uncompahgre” is a Ute word meaning “warm waters,” halting in Lake Como above Silverton. In Spanish, the poem begins “Como...” as the quest trail starts at Lake Como. Ute, Spanish, and since 1848 English are languages native to the site.

The “home of Brown” is Brown Mountain, source of Cement Creek in Silverton, tinted brown by mine drainage. The name “Brown Mountain” encompasses a nine-peak ridgeline labeled on USGS topographical maps. This ridgeline extends to Abrams Mountain rising south of Ouray. Abrams Mountain is also the “home of Brown.” By Abrams Mountain is Climax Creek, to be “hiked down,” not “paddled up.” Its course matches local azimuth at sunrise on June 24.

Visual proof derives from exploring and photographing the site specified by the poem until a searcher connects a cluster of unique site features with an illustration from Fenn’s memoir. That site is located on the west bank of the Uncompahgre River directly opposite Climax Creek. About an acre in size, football-shaped or eye-shaped, at 9,000 feet altitude, and bounded by cliff wall and river, its coordinates are (37.986555, -107.647828).

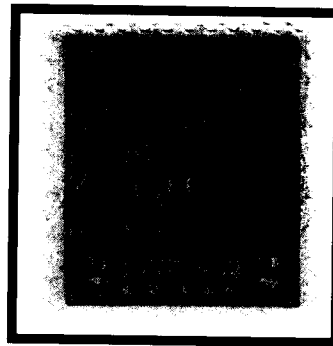


The drawing above headlines the epilogue of the memoir. Set below the chapter title, "Epilogue," the drawing centers under the middle letters "L-O-G." Fenn's repeated directive to "look under a log, and see what's underneath" refers to that "log." Allen Polt of *Wall Street Journal* fame illustrated the memoir, but only the center of this illustration is original work: stumps at the edges copy stumps near the center, and the sky mirrors at both edges.

The visual proof shown below is the answer to the quest. The center of the drawing overlays and fits an outdoor photo, taken at the virtual treasure site found by decoding the poem, from a vantage point directed by the poem. The vantage point is a fire pit or "blaze," full of black rocks or "tarry scant," followed by a short walk downhill in a west-southwest or 242° direction — "too far to walk" as a pilot would communicate a vector. The fit shows that the drawing derives from that outdoor scene, proving Fenn was at the site before directing Polt to make the drawing published in the memoir.



In the drawing, a nesting dove faces right, juxtaposed with a tiny turtle head facing left. The dove represents Chief Ouray “the Ute Peacemaker” and his accomplished wife Chipeta, “White Singing Bird.” The virtual treasure site is found in ancestral Ute land. The turtle opposing the dove represents Little Turtle’s War, named after a Miami chief whose portrait graced the White House before British forces burned it in 1814.



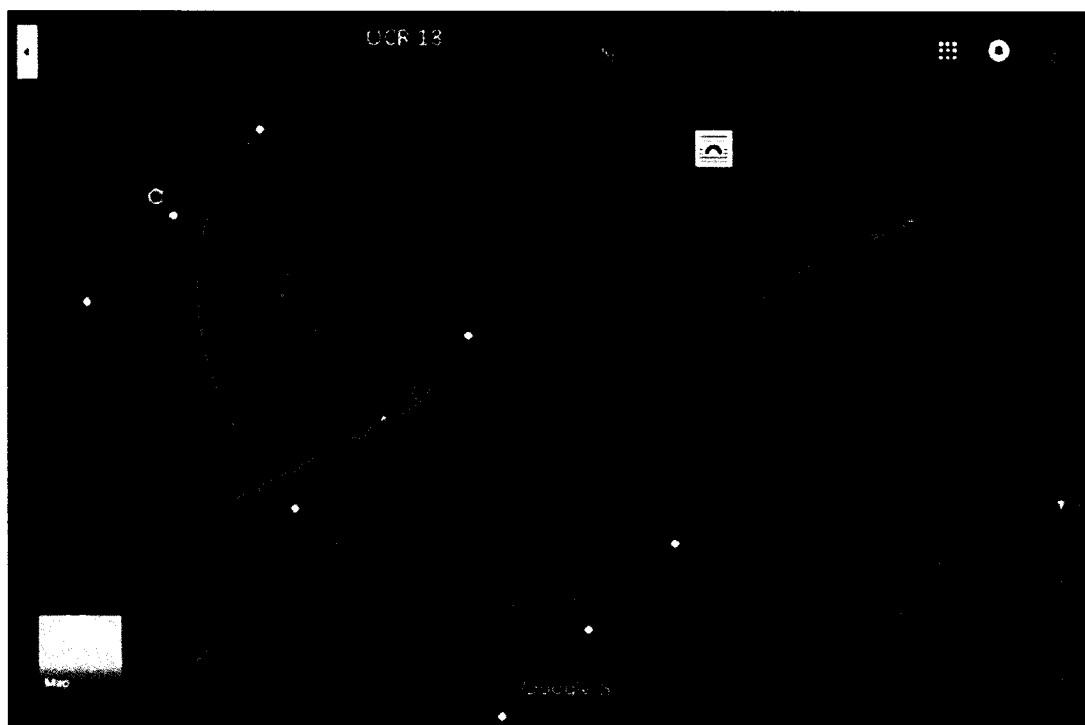
In 1792, Congress authorized and funded a new Army — called the “Legion of the United States” — to fight Little Turtle’s War and others until “the United States shall be at peace with the Indian tribes.” General “Mad Anthony” Wayne organized and led the Legion, and Lieutenant William Clark, of future expedition fame, served. Fenn is a veteran, the Army is the ancestor of the Air Force, and Little Turtle’s War was the first campaign and victory of the Army. Victory secured Ohio by the 1795 Treaty of Greenville. With control, Ohio land became an asset to be surveyed, sold, and settled, improving the fiscal health of the indebted United States and enabling creation of the first truly Western state, not hewn from former colonies as were Vermont, Kentucky, and Tennessee. Thus does the history of “Manifest Destiny” or “how the West was won” begin. Dual imagery reflecting war and peace also features on the Great Seal of the United States and the seal of the Wyandot, shown below.



Denoted by stumps and ax, the 1794 Battle of Fallen Timbers decided Little Turtle's War. According to the Army History Center, "Never has such a brief battle proved as decisive [...] Wayne had achieved success where two other American generals had been soundly defeated. Through rigorous training, discipline, and personal leadership, Wayne led the Army [...] to its first major military victory and [...] can lay claim 'to be called the Father of the Regular Army.'" The short, sharp battle was fought in the Great Black Swamp of the Maumee River, along a reach resembling the virtual treasure site in Colorado and with other connections to the quest. Once a densely "forested fen," settlers drained the swamp and founded Toledo at its Lake Erie end, validating Fenn's cryptic but consistent reference to the treasure being west of Toledo. After winning the battle, the Legion marched — along a 242° heading — to Kekionga, the site of the center or capital of the British-backed Native American confederation. There, the Legion built Fort Wayne. Both Toledo and Fort Wayne are cities along U. S. 24, matching the number of lines in the poem. This road links Troy, Michigan, by reference to the *Aeneid* of Virgil as described below, with Pikes Peak, sacred to the Utes.

Key Native Americans fighting alongside Little Turtle feature symbolically. Chief Turkey Foot of the Ottawa was killed in action. The original photo shows a turkey foot pattern on the riverside boulder, as battlefield maps show a "Turkey Foot Rock." Chief Tarhe of the Wyandot also fought. His name means either "Crane" or "Tall Tree." He lent his name to a heavy helicopter or aerial crane, the Sikorsky CH-54 "Tarhe," which retrieved downed aircraft during the Vietnam War. Fenn said not to look where an old man "couldn't go." The man in the drawing "goes" like a puzzle piece over the tall willow, symbolizing Tarhe, as the Wyandot seal features willow branches. The Uncompahgre River doglegs or bows at the tree, as in battle, Tarhe suffered a wounded elbow.

The poem's line, "Tarry scant with marvel gaze," evokes both Tarhe's name and the boulder. It suggests standing near a fire pit viewing a scene amazingly matching the drawing. It also denotes the black rock inclusion in the cliff face visible above the slope. This arrowhead-shaped feature aligns to Climax Creek as if tipping a virtual shaft drawn 242° nocked to the bow-shaped Uncompahgre River and west bank, as shown below. The crescent moon in the drawing is also similar in shape to a bow.



The overlay even depicts a “starry cant in a gravel maze” of willow roots. The word “cant” means “slope.” The “45°” written in the stars labels the slope angle, while every 45th word in the poem directs: “walk, down, now,” improving the photo if done from the fire pit.

In the drawing, a man rests with an ax amid stumps as if logging, when his solid black boots and waders suggest fishing. He gazes at the moon, marveling, at an hour for fishing. This contradiction resolves when the overlay places the man in a river.

The overlay also keys Hollywood. Jon Turteltaub, whose name means “Turtle Dove,” directed the 2004 Nicolas Cage film *National Treasure*. In the 1981 film *Raiders of the Lost Ark*, Harrison Ford as Indiana Jones stands in an underground room on whose floor is modeled the ancient Egyptian city of Tanis. Using angled sunlight in the same relative positions as the moon and slope, with headpiece and staff he illuminates the site of the Ark of the Covenant. Finally, in due homage to the 1980 comedy *Airplane*, if you want to be the quest Victor, your vector must be correct.

All digging for the metaphorical Fenn treasure is in the wrong place, but had Fenn hidden real treasure for a freelance find, it would be located at the site of the photo connoting the abandonment of treasured land by Native Americans at Fallen Timbers — the treasure is metaphorically found, where it was metaphorically “dropped.”

Linking art with natural features for orientation, navigation, heritage, identity, and myth is among the oldest cultural practices, from Aboriginal Australian songlines, to Native American petroglyphs, to an old map that inspires imagination, to a modern artist making a drawing after a landscape. Such meaningful connection fits epic quest sponsor Forrest Fenn, named after two natural features.

With the 2014 *True West* award, Fenn received a bronze by renowned sculptor Ed Reilly. Founded by brothers Ed and Billy, Bronzesmith Fine Art Gallery and Foundry, with a visible production process available to tour, is located in Prescott Valley, Arizona.



Teams of skilled artisans make large bronzes, allowing multiple artists to share a work. Bronzesmith artisans monumentalized “Cowboy in a Storm” by George Phippen for display in a highway rotary outside the unique Phippen Museum of Western Art in Prescott. Another statue is in production for the nearby airport, linking art and navigation in creative new ways while reaching another large audience. Named after Prescott native Lieutenant Ernest Love, killed in aerial action in 1918, the airport offers daily service to Denver and Los Angeles but retains a key function, one Love and Fenn would value: pilot training for Embry-Riddle Aeronautical University students.



The careers of Phippen and Fenn show parallels. Both came from rural backgrounds and were transformed as artists by a military service experience. While Fenn's Vietnam service was intense, in World War II Phippen served honorably quietly at Fort Worden in Port Townsend, Washington, headquarters of the Harbor Defense Command. Phippen had time while serving to develop artistic talent, while Fenn pursued art after war. Phippen later founded the Cowboy Artists of America, while Fenn showed range as an artist and as a gallery owner and art dealer. Both studied under masters in Santa Fe and worked in bronze. Both suffered cancer; Fenn created his quest after beating it.

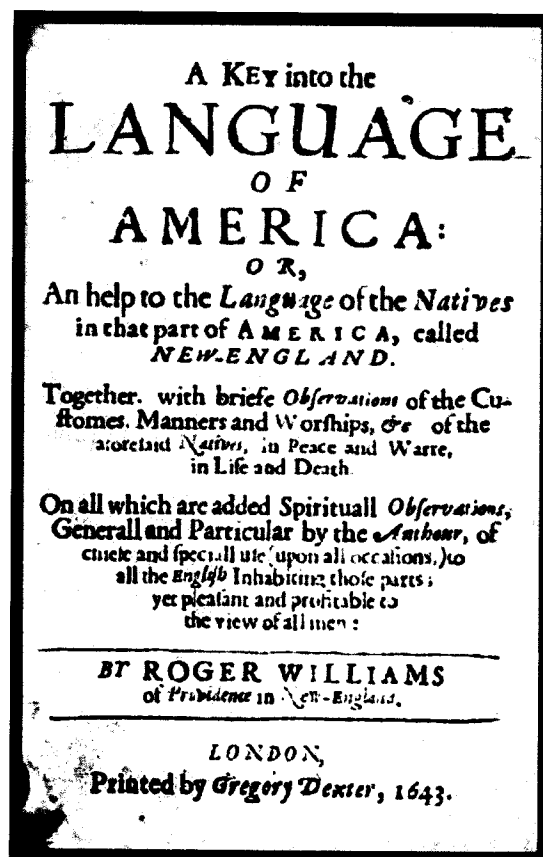
Though not acquainted, Phippen likely indirectly influenced Fenn. Consistent with the quest's theme of fortitude, Phippen observed of the visual and performing arts that they are "the toughest business there is...mighty hard to get into, but no job holds the freedom the arts do once you make the grade." Similarly, Fenn likely aims the quest to see who might qualify as a writer and conservator of his legacy.

"Don't loaf and invite inspiration; light out after it with a club, and if you don't get it you will nonetheless get something that looks remarkably like it."
- Jack London, 1905, on writing for publication

The diverse Prescott arts community includes not only the Phippen Museum, Bronzesmith, other foundries, workshops, galleries, co-operatives, master craftspeople in leather and other materials, performing arts, symphony visits, and more, but also the Western Heritage Center created by Dennis Gallagher, funding arts scholarships for local high school seniors, including in the performing art of rodeo. To quote Mayor Greg Mengarelli, "If anyplace would have a Western Heritage Center, it would be Prescott."

Prescott's leading museum, in research capacity and academic depth, is Sharlot Hall Museum, conserving the history and heritage of central Arizona, as Prescott was the territory's first capital. My other visual proof connects the Colorado solution to Arizona's founding by referencing historic figures and topics central to its mission.

Key luminaries shaped certain states, building America: Rhode Island by Williams for dissent and religious liberty, or Pennsylvania by Penn and Franklin.



Central to the quest solution is Otto Mears, a founder of Colorado, who with his daughter has featured in *True West*. Central to quest development is Richard McCormick, who enjoyed a parallel career helping establish Arizona.

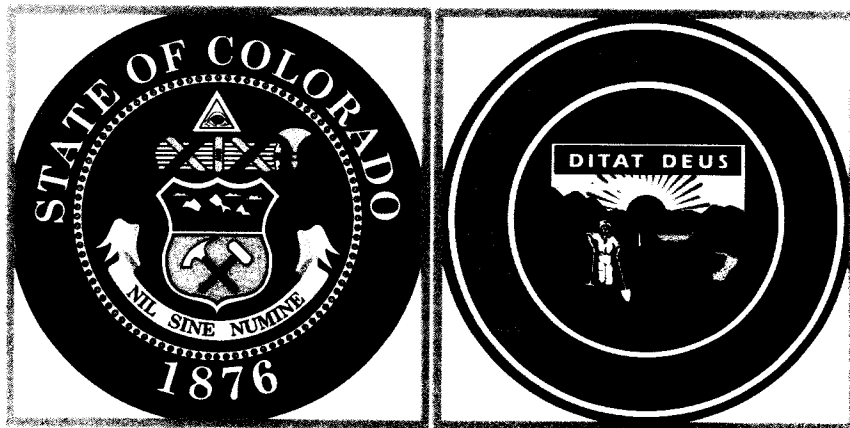
Otto Mears was born to Jewish parents in a Baltic province of the Russian Empire. Orphaned, his extended family sent him on an epic journey west — to California, where he worked the goldfields. Later he settled in Colorado Territory, farming wheat near Saguache. While struggling to haul wheat over Poncha Pass to Nathrop, whose mill served area miners, he met Governor William Gilpin, owner of a local land grant, who already had helped settle the Oregon Willamette Valley and had explored with General Frémont — whose Prescott home, from his appointment by President Hayes as Arizona territorial governor, is preserved at Sharlot Hall Museum.

Leveraging his new connection, Mears secured toll road charters. He built roads for rail conversion, catalyzing development. With Colorado statehood in 1876, after the new legislature chose Republican electors including Mears, Hayes won the Presidency by one electoral vote. Mears later served in the legislature, befriended Chief Ouray and Chipeta, owned railroads serving mining near Silverton, and motivated the mining industry association to help gild the state capitol dome. The Panic of 1893 damaged business, hammered silver, and curtailed liquidity, scuttling his efforts to use one of his toll roads to connect Silverton and Ouray directly by rail. That road became the segment of U. S. 550, or “Million Dollar Highway,” by which the site is reached. (Speaking of treasure, Mears charged a \$5 toll at Bear Creek, worth over \$120 now).

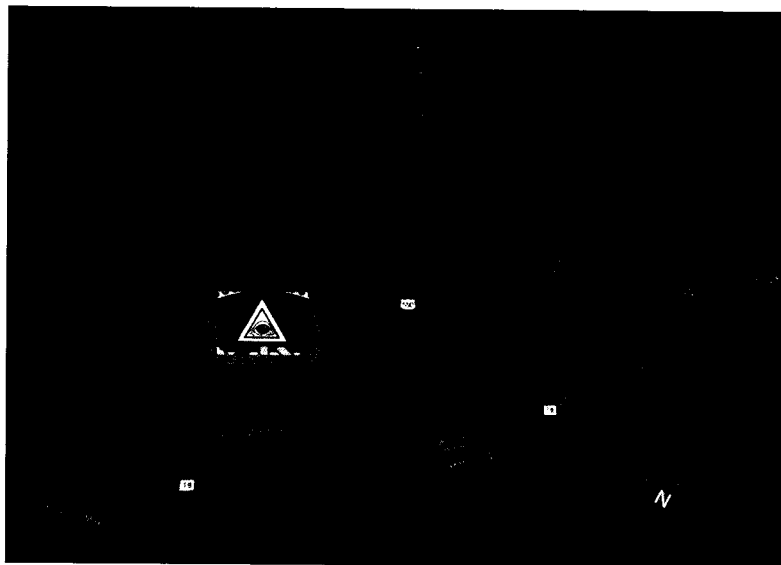


Born in New York to wealthy parents, young Richard McCormick voyaged east to the Black Sea to cover the Crimean War as a journalist, mirroring the adventure journey of Mears. Returning, he worked on Wall Street, then edited *Young Men's Magazine* and the *New York Evening Post*, covering the early Civil War. Politically active, he campaigned for Lincoln, who in 1863 appointed him secretary of Arizona Territory, created in response to the 1861 secession of a Confederate "Arizona Territory." As its northern portion lacked settler population and its southern portion was not secure, isolated Fort Whipple served as the seat of government, amid scattered prospectors whose key asset was water. There, in the remotest of places, the new settlement of Prescott became Arizona's capital, mainly by force of President Lincoln's refusal to concede even the wildest West to disunion.

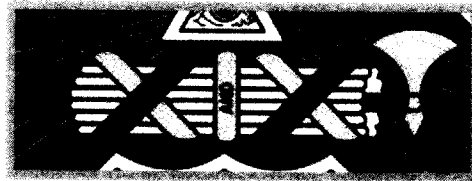
Among McCormick's early tasks was to create a seal and motto for Arizona, as Gilpin already had teamed with Secretary of State Lewis Weld to craft in Colorado. Seals are artful symbols of sovereignty. By quest design, the Colorado seal underpins another visual proof while the Colorado motto represents a profound challenge by Fenn to the searcher. The Arizona motto answers his challenge conclusively.



Each graphic on the Colorado seal matches the site and environs. When viewed on a satellite map oriented 242° (of course), roads appear to outline a turtle in profile, with a defined head, eye, mouth, foot, and earth-toned shell. In multiple Native American myths, Turtle holds up the world. Natural site boundaries, cliff and river, form the eye. The eye sits between an angled road junction, matching the Eye of Providence on the seal. Rivers, roads, and power lines all cross nearby, as do lines at the eye on the seal, affirming Fenn's statement that the treasure is "for the person who can make all the lines cross in the right spot."



The fasces, a Roman symbol of authority comprising an ax centered in a wooden bundle, matches the “ax in the woods” in the overlay. Its binding reads “Union and Constitution,” two causes Fenn served when he enlisted at age 20 (in Rome, “XX”). The double X matches the double omega in the memoir’s colophon (a word connoting “Colorado”). Both X and omega are the 24th letters of alphabets, matching 24 lines of the poem. Intentional absence of treasure is even something of a “double cross.”



The three mountains, mining tools, and the horizontal line in the shield match a panoramic view of Ouray, with Abrams Mountain centered and U. S. 550 as the line.

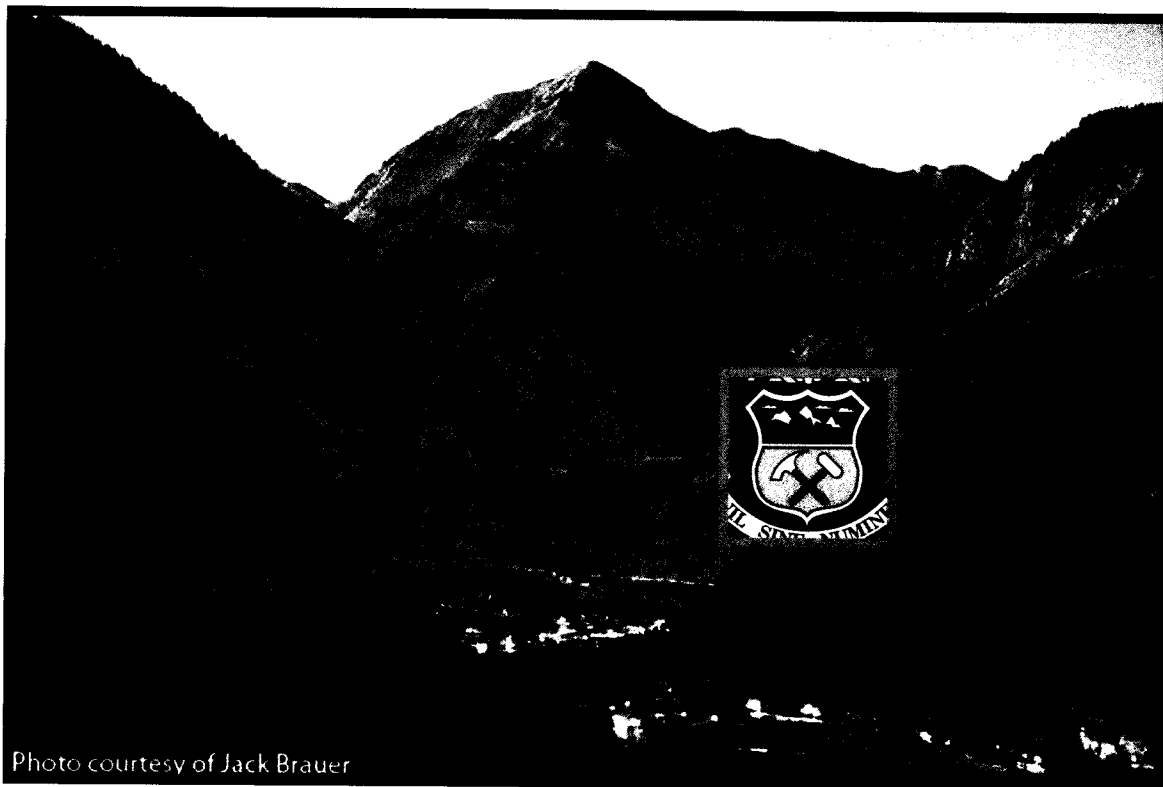


Photo courtesy of Jack Brauer

By naming the treasure chest “Indulgence” evoking the “Treasury of Merit” created by Christ, by linking the quest to John the Baptist, and by the comparison above, Fenn made literary connection — and the Bible is epic literature — between his quest and the Christian core concept of forgiveness through the power of the Word.



McCormick's motto is a laconic riposte to Fenn's grandiose presentation as deity. "*Ditat Deus*" or "God enriches" authoritatively defines what the deity does next, summarizing Genesis 14:22-24 in which Abraham bluntly refuses to let anyone but God enrich him. The pithy motto expresses the terse, compact Latin style of Jerome — not the town near Prescott, but the early theologian who translated the Vulgate Bible. Another early theologian, Origen, saw the Word prefiguring Christ in the story of Abraham and Isaac. With a poem leading up Abrams Mountain, a knife handy outdoors, bighorn sheep nearby, and "God's country" all around, parallels recur.

The Renaissance Spanish Empire, whose army and priests were the first Europeans to encounter local Native Americans, had roots in Rome. In 1610 Spain gave Fenn's hometown its modern name, meaning "Holy Faith." The full name, "La Villa Real de la Santa Fe de San Francisco de Asís," expresses Franciscan devotion, whose theme is peace. Raised in nearby Taos, Chief Ouray "the Ute Peacemaker" was educated by priests in Spanish. The Arizona motto is a link, bringing the quest full circle.



McCormick later served as the second Arizona territorial governor and an influential Congressional delegate. He founded two newspapers, helped sustain the protracted Apache Wars, and resolved land title issues. He later lost an eye to disease, fitting the quest theme of a single eye.

The quest is irrefutably solved. Should Fenn award, I intend the following actions:

- Selling the treasure for conservation whole to an American institution or museum. Ideally, it would be exhibited in Prescott, would draw visitors, and would travel.
- Donating part of the proceeds to the arts in Prescott and funding a mural for Toledo.
- Investing in emerging Southeast Asia, where I worked in finance, where trusted friends and co-workers own agribusiness and other ventures, and where Fenn served.
- Conserving Fenn's legacy as publisher of his autobiography, as writer of the full quest solution, and more, expressing his values to inspire future generations.

Curiously, I have many personal connections to the quest. I was born 45 years ago, in a fen, near a famous rock, on a day of turkey and peace between Native Americans and Europeans: Thanksgiving, in Marshfield, Massachusetts, founded by Christians who believed in predestination and whose state seal depicts a bow-armed Native American and a star. The constellation Sagittarius connotes virtual archery and perfect accuracy. Later, I attended primary school in Troy, Michigan.

After leaving Troy, I was fortunate to grow up at Willamette Falls, the end of the Oregon Trail. My writing owes much to my demanding middle and high school teachers from West Linn, my home community. An educated Oregonian also should have a quick ability to perceive that a drawing of a man logging in fishing boots merits deeper investigation. West Linn is a suburb of Portland, where art advocacy drove change after Mike Ryerson photographed bar owner Bud Clark humorously flashing a Norman Taylor bronze. Ryerson then made an iconic poster selling more than 250,000 copies, funding local journalism while helping Clark unseat an incumbent mayor.



Like the *Aeneid*, the Oregon and Santa Fe Trails began “in the middle of the action” — Independence, Missouri. Independence was also the home of President Truman, Commander in Chief when Fenn enlisted in the new Air Force, and of Gilpin for a time while he was promoting Western settlement.

After ten years, it is time for “questward movement.” Centuries before Virgil, Sun-Tzu in *The Art of War* expressed the Dao of consistent victory: “Know yourself, know your adversary.” To what should I feel entitled, after Fenn wrought such a brilliant quest? Having stood in the fire pit to discover and prove what he created, I humbly affirm that he has every right to hold my feet to the fire.

Maybe Fenn has met his match, beginning a story of “how the quest was won.” Maybe between Colorado and Arizona, the solution is now “four-cornered.” Maybe a key quote from the *Aeneid* — freely translated, “if you can’t move heaven, raise hell” — has adapted to my “raising Arizona.”

I invite *True West* readers to find out with me. I thank Fenn, police particularly New Mexico State Police and Gallatin County Sheriff in Montana, rescuers, participants, leaders of the Prescott arts community, artists, family, friends, teachers, and others. Appealing to Major Fenn as an officer and a gentleman, and not only on my own behalf, I extend my hand of friendship and trust. I confidently ask him to award me the treasure now, in the worthy context he has inspired me to frame. If he does, his quest will fulfill its manifest destiny. *****

The solution to the quest (a different document) is copyrighted

Images:

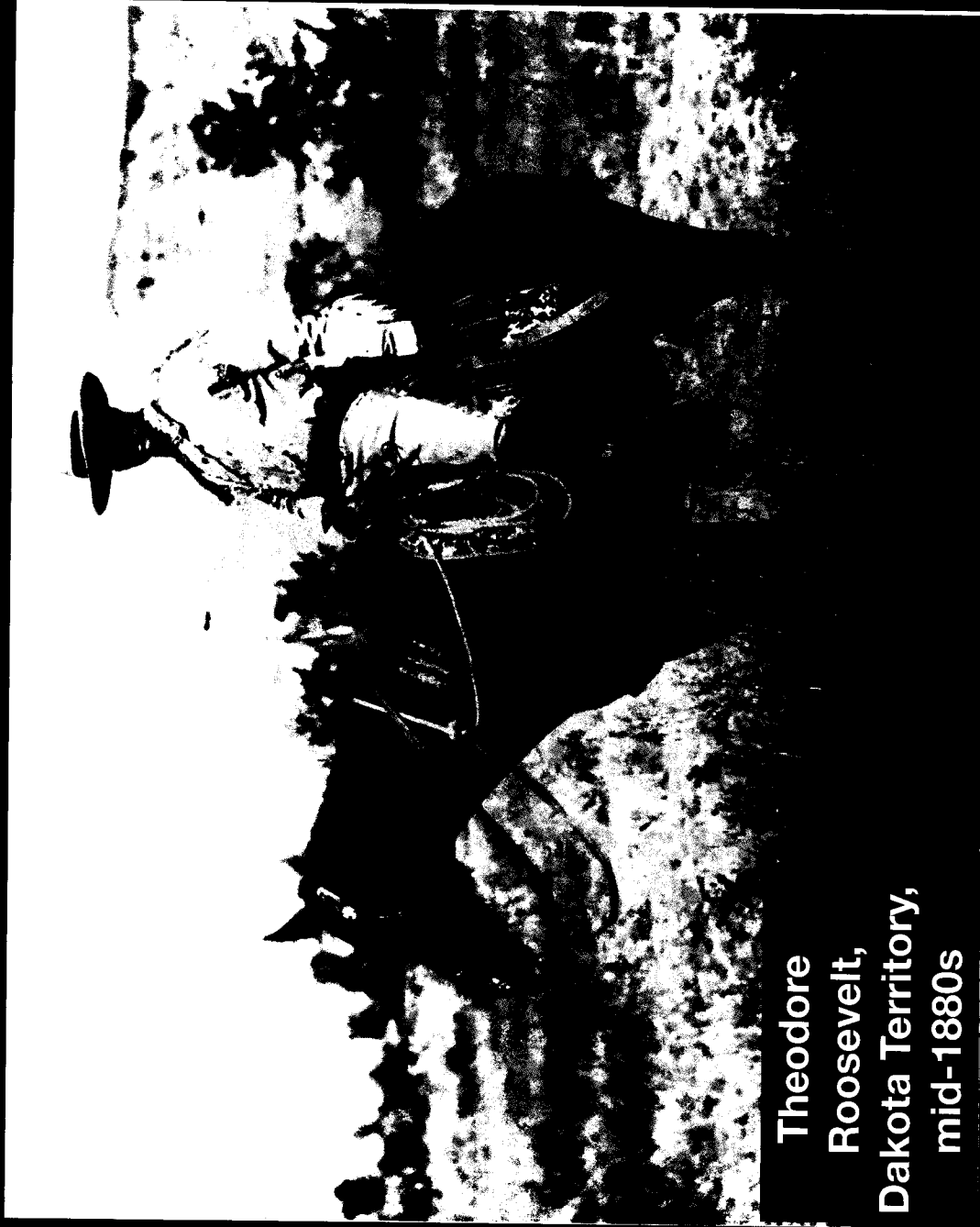
Green border images are those I either believe I have the rights to use, believe to be in the public domain, or believe might be used without asking and without risk

Yellow border images I believe can be used, by fair use: to display and discuss the graphical content and symbolism of official seals as art objects

Red border images are images I do not have the rights to use; rights are commercially available (mountain photo, Portland poster)

All are informal judgments meant to *respect* the concept of rights to images, as I lack expertise in this question

How the Quest was Won



Theodore
Roosevelt,
Dakota Territory,
mid-1880s

Solution to the Fenn Quest
Summarized in Three Visual Independent Proofs (VIPs)
A "Harvard Cowboy" Production



MATCH 1

Site

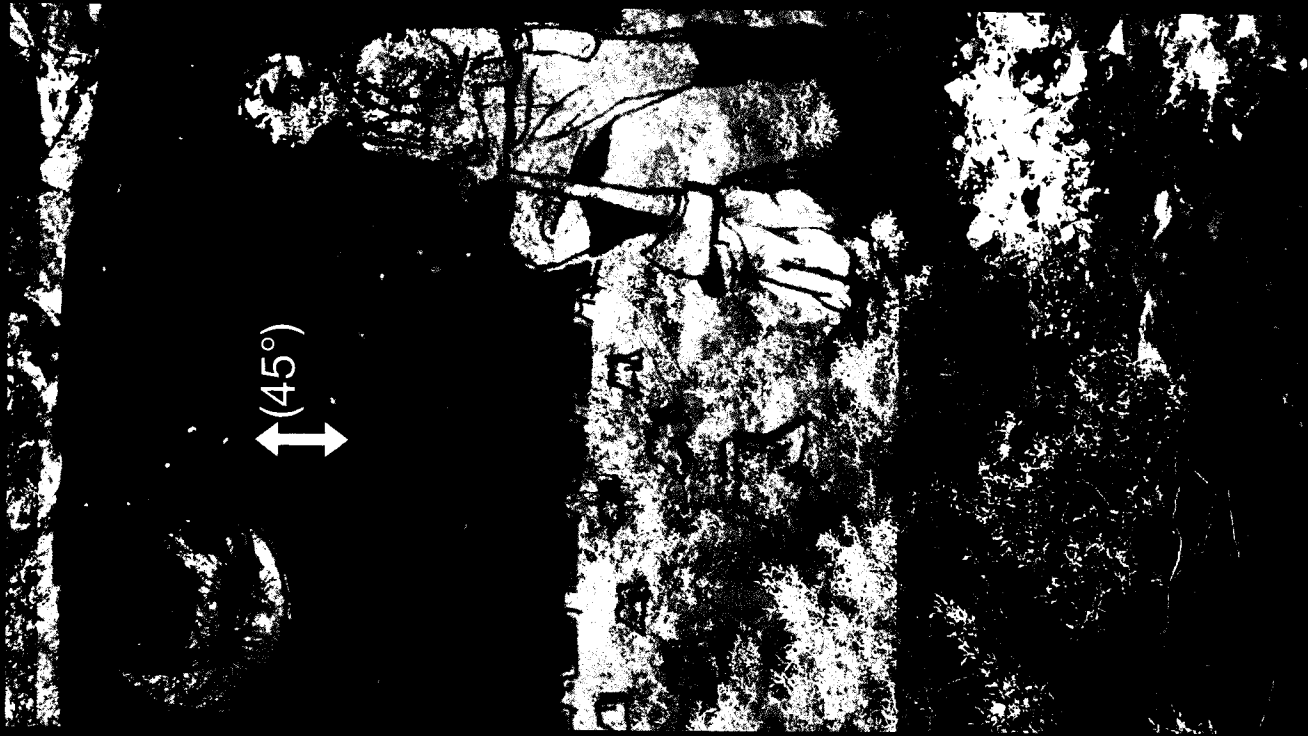
**Epilogue
Drawing
(2010)**

+

**Site Photo
(2018)**

MATCH

**Site
(37.986555,
-107.647828)**



MATCH 2

Area

1794
"Fallen
Timbers"
Battlefield
(Toledo, Ohio)
(Tarhe,
Turkey Foot,
Little Turtle)

(see epilogue
drawing)

+

Site Zoom
(West Bank of
Uncompahgre River
near Ouray,
Colorado)

MATCH



MATCH 3

Wider Area

Matches between:

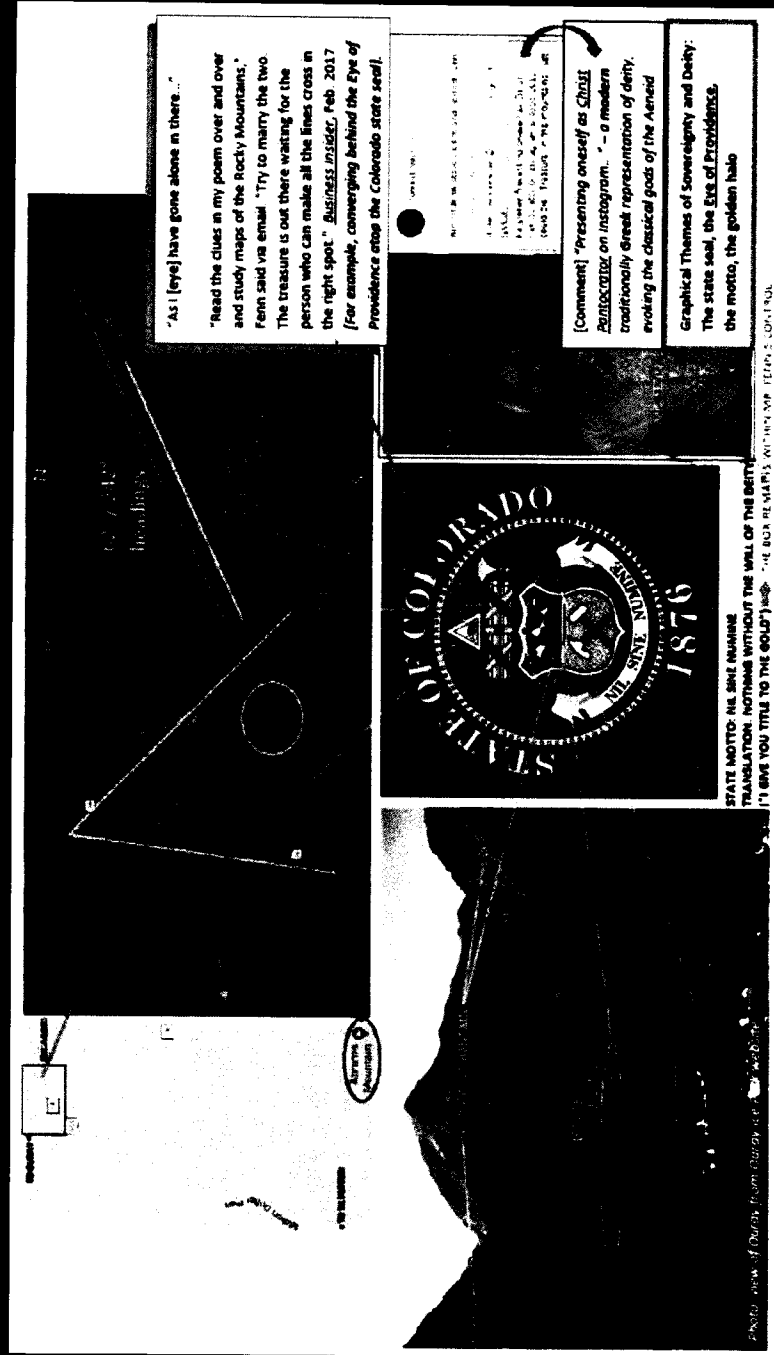
COLORADO
STATE SEAL

Eye
Triangle
Rays
Fascies
Mountains
Dividing Line
Mining Tools
Motto (Aeneid)
Gold Coin Motif

+

Plain Elements of
Correct Site

MATCH



Fenn Quest Solved

Three Matches
Visual Independent Proofs
Site, Ohio Battlefield, Seal

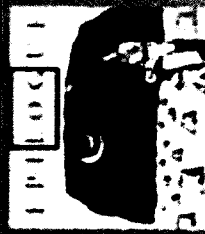
(Plus 25-Page Annotated
Illustrated Report)

No Treasure In Woods
Fenn Retains Treasure
Fenn Controls Quest

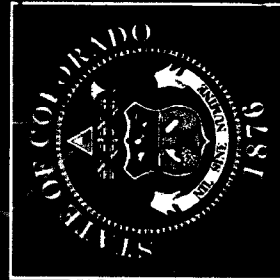
Test of Grit
Character, Creative Resilience,
Confidence and Integrity, in Adversity

“When the game changes,
how do you respond?”

“Under
a LOG”



CENTRE OF
FALLEN TREES



By Brian Erskine

<https://fennsolve.com>

kattigara@gmail.com

(949) 424-4294

EXHIBIT G

[https://](https://fennsolve.com)
fennsolve.com
MAIN PAGE

How The Quest Was Won: Solution to the Forrest Fenn Quest

by Brian Erskine, kattigara at gmail

Welcome! Please view, share, and enjoy the copyrighted, complete solution to the Fenn quest. Visual independent proof ("VIP") exists in three different fonns, while the site determined by the poem is here.

The readiest proof is found here or in the image shown on this page, which *is the quest solution*. The image combines an overlay of the illustration by Polt found in the epilogue of *The Thrill of the Chase: A Memoir* by Fenn, published in January 2010, onto an outdoor photo of the site I took in August 2018. That match proves that Fenn, who commissioned the illustration, was at the site of the photo while creating the quest.

In that book, where "EPILOGUE" heads the last chapter title page, the letters "LOG" are centered above the illustration. The Greek root of "epilogue" is "in:(" or "epi" meaning "above." In often referencing "under a log" or "turning over a log" while searching, Fenn refers to *this image*, not to the natural remains of a tree. The key image *under*, or labeled by, the letters "LOG," when overlaid onto the correct photo and faded, proves the correct site, again *underneath*.



More independent proof is found here in the clear connections between the site and the Colorado state seal. The three VIPs often interconnect. For example, the fasces in the state seal matches the "ax in the wood" portion of the overlay image, while the Fenn directive to "turn over a log" matches the key 1794 Battle of Fallen Timbers, fought near Toledo.

Details are found in the full solution.

Only the correct site and its surroundings were visited in the context of the quest. Identifying the area was straightforward. The difficulty lay first in narrowing down the site, which took about one year, then in perceiving that the quest is not a scavenger hunt for treasure but rather a test of grit: of character, disentanglement, productivity, and resilience in adversity, culminating in independent proof. Creating at least one form of independent proof took over two years, and creating others took almost three.

The rugged site, dominated by willows, is of limited extent, about 1 acre (0.4 ha), yet multiple, thorough searches yielded nothing. Anyone is welcome to explore and search the site. Outdoor safety precautions in all particulars *must* be taken as the site is at 9,000 feet (2,743 m) of altitude and is accessed *only* by wading a river.

The solution is publicly revealed. To be clear, the quest is *solved*, the answer to the puzzle is independently *proved*, and *treasure is absent at the site*.

Three forms of VIP would not be needed if treasure, proof enough, were present. The estate of treasure is unknown. In my opinion, a real



Three forms of VIP would not be needed if treasure, proof enough, were present. The status of treasure is unknown. In my opinion, a real exists, and Fenn securely retains it to award as he sees fit -

which is also common sense: the poem ends, "I give you title to the gold."

Many "treasure searchers" might misunderstand the quest, setting the wrong success standard and guaranteeing failure by insisting on finding and retrieving a literal treasure, when the "treasure in the woods" is figurative or metaphorical. *A metaphorical test of grit solved by creativity and reference to history, literature, and images is consistent with the personal profile of a combat pilot turned artist and best-selling author. Literally abandoning treasure in the woods, a foolish act inconsistent with a brilliant man, also would deprive Fenn of control over the quest.*

Many thanks to Fenn, Polt, family, friends, and public safety authorities. Fenn is a man of service, creativity, and intellect, whom I respect and admire. I am humbled to have solved his amazing quest and would be privileged to meet him in person. We have never mutually corresponded. My name and contact are found atop this page and at the bottom of the cover page of the solution document.

"If I cannot move heaven, I will raise hell."

- Virgil, *The Aeneid of Virgil*, Book Seven, Line 312

EXHIBIT H

TOLEDO BLADE DRAFT ARTICLE IDEA PRESENTATION

TOLEDO MAP PUZZLE

cdVer 3

TOLEDO HISTORY BRIEF

COVER 4

Meet: Chief Tarhe "Fall Tree" of the Wyandot

wyandotte-nation.org



Ohio History
Central

Navigation • Browse • Tarhe

Tarhe

Tarhe, a Wyandot leader, was born near present-day Detroit, Michigan, in 1742. Tarhe was also known by the Anglo-American exonym "The Crane." Some accounts state that this name is in reference to his tall, slender build.

Like most American Indians living in the region, Tarhe opposed increasingly invasive white settlement of the Ohio Country. He

Tarhe's own name is intriguing.

the name meant "at him" or "at the tree", or was perhaps the personification of "the tree". Tarhe's great height lends credence to the



inhabitants. He eventually led the Wyandot into battle again at the Battle of Fallen Timbers in 1794. General Anthony Wayne led the U.S. forces and defeated the American Indians. Once again, Tarhe supported making peace with the settlers and

It is believed the last battle Tarhe fought in personally was in 1794 at Fallen Timbers. That action was a brief but devastating one for the allied tribes. The only tribe to fight with distinction that day was the Wyandots. They were pinned down near the river and lost heavily. The Wyandot chiefs were decimated. Of the thirteen chiefs who entered the battle, only Tarhe survived and he was severely wounded in the right elbow.

Most Indians realized their cause was lost after Fallen Timbers. The

Me-sa-sa - Ohio History Central

www.ohiohistorycentral.org/w/Me-sa-sa

Me-sa-sa -- also known by the Anglo-American exonym "Turkey Foot" -- was a prominent Ottawa chief

Turkey Foot Rock was the location where Me-sa-sa, an Ottawa Indian chief, died during the Battle of Fallen Timbers. ... The Indians prepared to attack him in an

Turkey Foot Rock - Ohio History Central

www.ohiohistorycentral.org/w/Turkey_Foot_Rock

Do you see similarities between the two symbols?

the Wyandot flag and the United States flag



Please note:

1. Wyandotte is the base
with the 13 stripes

2. The 13 stripes are
the 13 original colonies

3. The 13 stripes are
the 13 original colonies

comparing the
ancient (peace) way

Side 7

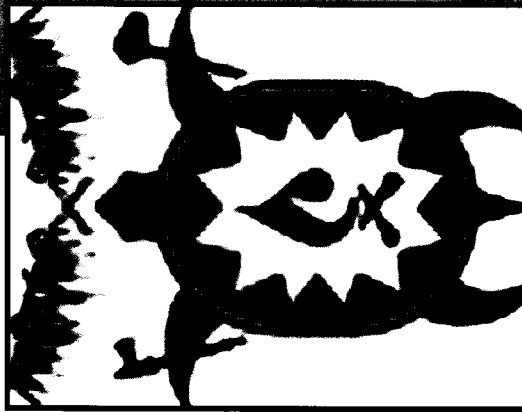
wyandot nation flag

🔍

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About 1,750,000 results (0.57 seconds)

🔍 About Our Turtle — Wyandotte Nation
<https://www.wyandotte-nation.org/culture/about-our-turtle/> ▼
The parent tree, or the traditional **Wyandot Tribe**, is represented today
whereas, the severed branches that have grown into trees of ...



Images for wyandot nation flag

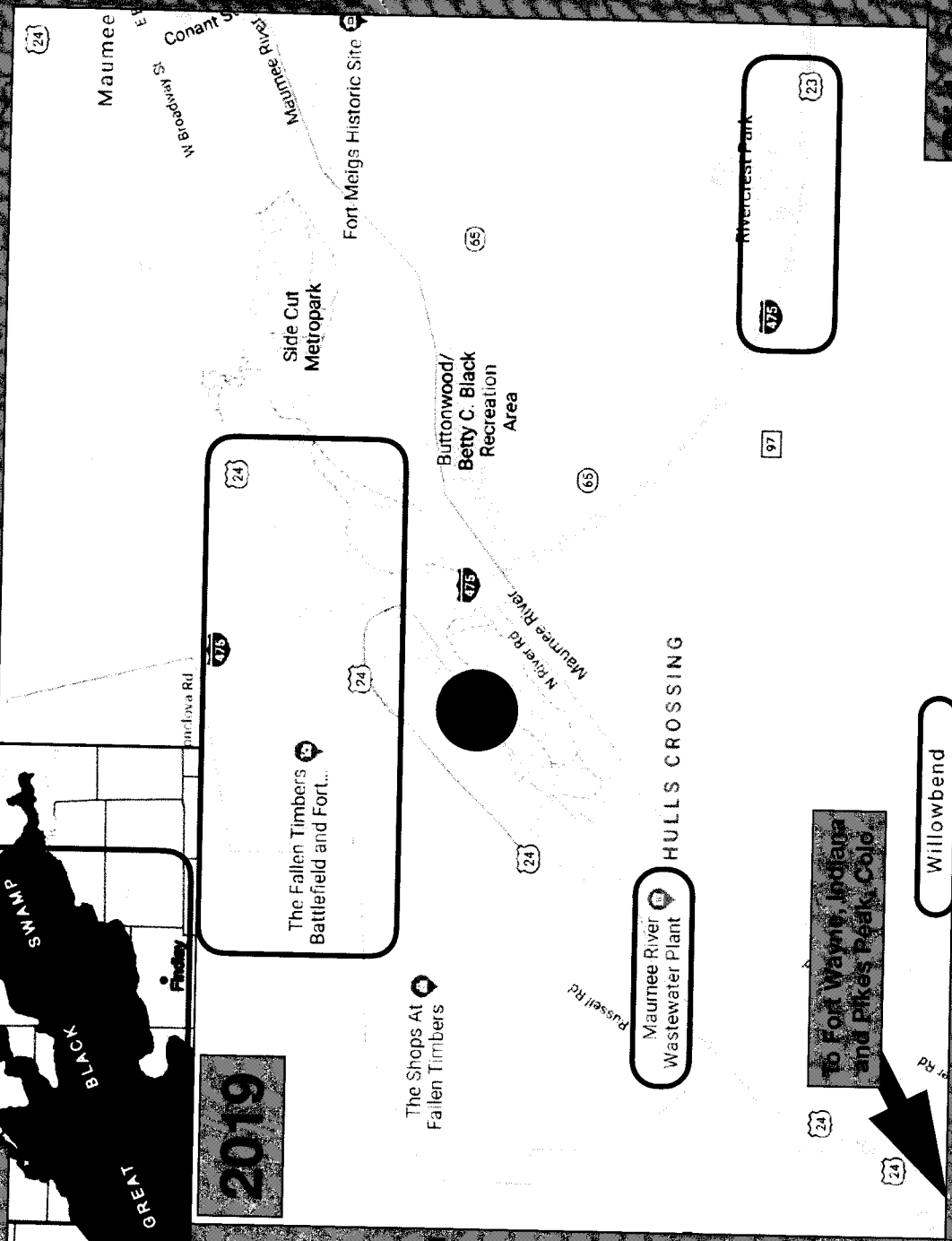
More images for wyandot nation flag

Report images

1794 and 2019 site, Battle of Fallen Timbers



2019



Side 8

EXHIBIT I

EMAIL RECORD,
AFFIANT TO/
FROM
DEFENDANT,
DEC. 2019



Cordial Meeting Invitation, same mail, re-send, with no attachments

Brian Erskine <kattigara@gmail.com>

Tue, Dec 10, 2019 at 9:26 AM

To: Forrest Fenn <forrestfenn@gmail.com>, Bob Bell <bozebell@twmag.com>

Major Fenn,

Thank you for our call yesterday. During our call I stuck to the formal topic of my Rule 24 intervention in the Federal action in which you were named Defendant. I did this intentionally, so you don't think I "wanted anything" from you other than the preliminary response to my motion I am required to solicit. The purpose of my call was true.

However, I respect that you asked me about my motivations. **I am eager to show you that my motivations are totally positive and congruent with your values as I perceive them best applied**, are connected with a community (Prescott, Ariz.) that shares your values and positive traits (true Western heritage, art, service / lots of retired veterans, aviation / Embry Riddle). This is your quest, and your legacy comes first, including managing that legacy to a professional standard of writing and curating. I'm already in contact with community leaders here about my work and have a draft article for publication. I'm eager to share all.

I was able to solve your quest because we share certain values and experiences. We have also both spent time in Vietnam, for different reasons (and **thank you for your valorous service** - the Vietnamese appreciate it more than many Americans might think); I learned Vietnamese and also lived and worked in Cambodia, which is where I learned about your quest. (I am 45 years old as of Thanksgiving, born in 1974). You are from Texas living in New Mexico, and I am from Oregon living in Arizona. We are both Westerners; New Mexico and Arizona are "sister states" and Texas and Oregon are forever connected by the history of President Polk. You live at the end of the Santa Fe Trail and I grew up at Willamette Falls, the end of the Oregon Trail, in West Linn. Your quest is part of the heritage of the West. **It's important to me that your values be expressed properly for the benefit of present and future generations.**

Let's meet face to face informally and chat over coffee or a beer so I can show my respect and listen to you, and so I can present an outline and we can discuss the best way to handle matters. I have local friends and I'm happy to come to Santa Fe. **Our meeting would be quiet and private, "off the record."** I am also happy to meet with Bob first, as he is nearer, should he be amenable to better connect us.

You'll both enjoy this article about the art collection of BNSF

Best

Brian Erskine
(949) 424-4294

[Attached to original email: 4 MB of photos, re-sent text-only in case that caused a digital problem]

forrestfenn@gmail.com <forrestfenn@gmail.com>

Tue, Dec 10, 2019 at 9:38 AM

To: Brian Erskine <kattigara@gmail.com>

Cc: forrestfenn@gmail.com

Mr. Erskine,

I don't plan to do anything until I have been served. Thank you. f

[Quoted text hidden]

Brian Erskine <kattigara@gmail.com>
To: Forrest Fenn <forrestfenn@gmail.com>
Cc: Forrest Fenn <forrestfenn@gmail.com>

Thu, Dec 12, 2019 at 2:15 PM

Respectfully noted, sir. - B

[Quoted text hidden]



Motivation

Brian Erskine <kattigara@gmail.com>
To: Forrest Fenn <forrestfenn@gmail.com>

Thu, Dec 19, 2019 at 8:09 AM

Major Fenn,

My motivation is to develop your legacy of character, service, art, literature, history, and Western heritage, for benefit of others and future generations.

The highest reward God gives us for good work is better work, to paraphrase Elbert Hubbard, who wrote *A Message to Garcia*.

I would preserve any treasure you might award whole for conservation, and would use it to support those aims. The most valuable item in the box is your autobiography. Character is destiny (the Greeks were right), and this isn't about me. If I were to ask anything of you, it would be to make me a writer, to upgrade and invest in my ability to be of service.

I am grateful to community leaders in Prescott, Arizona for their support. I would aim to focus those efforts on this community, from which I repeatedly traveled to the site noted in the motion and pictured below. I was able to find that site relatively quickly and certainly by using your own expressive public presence to try to get to know you by observing with whom you chose to associate yourself. It and the immediately surrounding area are the only places I ever went - thanks to observing and connecting with you based on public information, I was right the first time.

I also plan to invest in Southeast Asia, where I lived and worked managing investments for six years. Thank you for your difficult service there.

My motion, as filed, will arrive today or tomorrow.

Thank you again for this great work art and the experience and opportunity it inspired.

Best

Brian



EPILOG45new.png
1576K



Summary motivations: Respect and service

Brian Erskine <kattigara@gmail.com>
To: Forrest Fenn <forrestfenn@gmail.com>

Sat, Dec 21, 2019 at 9:40 PM

Respect and service, Major

- > Respect for you and your creation, your legacy, and its brilliant and unique moral, artistic, and material potential to benefit others, which must develop and which I can and will prioritize just as you see me doing in this case
- > Service to others, including my local community here in Prescott and developing Southeast Asia, plus other positive plans
- > Respect for myself and the work I did to solve the quest (which is proper, not selfish), respect for fact and truth

Thank you again for a thrilling experience and for the opportunities that might stem from it

Brian

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